COUNCIL MEETING
FEBRUARY 10, 2021

The Council Meeting of the Council of the County of Kaua‘i was called to order by Council Chair Arryl Kaneshiro at the Council Chambers, 4396 Rice Street, Suite 201, Lihu‘e, Kaua‘i, on Wednesday, February 10, 2021 at 8:31 a.m., after which the following Members answered the call of the roll:

Honorable Bernard P. Carvaiho, Jr.
Honorable Mason K. Chock
Honorable Felicia Cowden
Honorable Bill DeCosta
Honorable Luke A. Evslin (via remote technology)
Honorable KipuKai Kuali‘i
Honorable Arryl Kaneshiro

Council Chair Kaneshiro: Good morning. Today’s meetings will be conducted pursuant to Governor Ige’s Supplementary Emergency Proclamations with the most recent relating to the Sunshine Law being his Seventeenth Supplementary Emergency Proclamation dated December 16, 2020. Today for our agenda, we have registered speakers, so we will take that at the beginning.

APPROVAL OF AGENDA.

Councilmember Kuali‘i moved for approval of the agenda, as circulated, seconded by Councilmember Cowden.

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion for approval of the agenda, as circulated, was then put, and unanimously carried.

Council Chair Kaneshiro: The motion is carried. Next item.

MINUTES of the following meetings of the Council:

January 21, 2021 Special Council Meeting
January 27, 2021 Council Meeting

Councilmember Kuali‘i moved to approve the Minutes, as circulated, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Are there any questions or is there any discussion on this item from the Members?
(No written testimony was received and no registered speakers requested to testify regarding these agenda items.)

The motion to approve the Minutes, as circulated, was then put, and unanimously carried.

Council Chair Kaneshiro: Next item.

CONSENT CALENDAR:

C 2021-35 Communication (01/07/2021) from the Director of Finance, transmitting for Council information, the Second Quarter Statement of Equipment Purchases for Fiscal Year 2020-2021, pursuant to Section 17 of Ordinance No. B-2020-866, relating to the Operating Budget of the County of Kaua‘i for Fiscal Year 2020-2021.

Councilmember Kuali‘i moved to receive C 2021-35 for the record, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: Are there any questions or is there any discussion from the Members?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to receive C 2021-35 for the record was then put, and unanimously carried.

Council Chair Kaneshiro: Clerk, let us go to page 2, bills for second reading, Bill No. 1993, Draft 1 and we will take public testimony.

There being no objections, Bill No. 1993, Draft 1 was taken out of order.

BILLS FOR SECOND READING:

Bill No. 1993, Draft 1 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 9, KAUA‘I COUNTY CODE 1987, RELATING TO PUBLIC ACCESS-WAYS

Councilmember Kuali‘i moved to receive Bill No. 1993, Draft 1 for the record, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: We have received some written testimony and we have three (3) speakers today for public testimony. We are going to start with Elizabeth. You have a total of six (6) minutes for your testimony. If you can see the light that will show up—it will turn green when you start, yellow when there is thirty (30) seconds left, and red when your six (6) minutes are up, if you need the full
six (6) minutes. Just state your name for the record and you may begin your testimony.

There being no objections, the rules were suspended to take public testimony.

ELIZABETH OKINAKA (via remote technology): Okay. Aloha, my name is Elizabeth Okinaka and I wanted to provide input on Bill No. 1993. My input is that the County is not putting in enough effort into community outreach. For instance, I am here at a site that is set to be Kauanui O Kōloa. There are burials and lava tubes, and I have been trying for weeks to contact anyone to stop this. How can the community have input when are calls are not answered? Even setting up testimony for this was hard. The County keeps approving these developments with culturally-significant sites despite public outcry. Just like this, it is set to have two hundred eighty (280) units with no local housing. The Environmental Impact Statement (EIS) is from 1976 and permits from 2008. In January they had heavy machinery that crushed old rock walls. This village has men, women, and children buried in this village. Many of these developers use attorneys with connection to the County such as Ian Jung who work for these wealthy LLCs. You have Jonathan Chun who is a former County Attorney who is not helping these LLCs. We are losing access to culturally-significant sites like this every day. What is the County of Kaua‘i doing? Companies like Koga, who have been here fined ten thousand dollars ($10,000) for illegal grubbing and grading with no permits are still contracted by the County to do their wastewater reclamation facility trench. Councilmember Kaneshiro with his Grove Farm ties, and you have Councilmember Evslin whose father is selling land with kuleana titles. Katherine Kealoha signed off on the EIS report for the Kōloa/Po‘ipū reclamation facility and the Eric Knudsen Trust paid the County of Kaua‘i two million dollars ($2,000,000) in 1977. It is ugly and it is sad and so vividly demonstrates how these developers take advantage of the system as the County of Kaua‘i looks the other way. Thank you for allowing me to give you folks my input. Aloha.

Council Chair Kaneshiro: Thank you. Next up, we have Roslyn Cummings, if she is on. No, she is not there. Next up, we have Shawn Villatora. Shawn, you are on mute.

SHAWN VILLATORA: E kala mai ia‘u. Aloha, ‘O Shawn Villatora ko‘u inoa. My name is Shawn Villatora. I am a resident of Haiku Valley in the ahupua'a of Haiku in the moku of Puna on the island of Kaua‘i. For me, I am going to be providing input on Bill No. 1993. For me, as a community member as a poaikanaka as a wahine kanka maoli and also a cultural practitioner, it was brought up to me that this Bill was in plans of possibly being taken off. For me, I did not even realize it was even a Bill for us to be able to access preserved historical sites. As a cultural practitioner and continuing to learn every single day, I think that is a very sad thing to hear that there is possibly a chance for us not being able to have our input. It is not like we are being sought out to be able to be a part of whatever development or plans are that the County has for certain areas. For instance, right now I am at Alakoko (Alekoko) Fishpond and so graciously able to be a part of a community that is so passionate about this ‘āina, but another thing is that there are so many historically significant sites that we cannot access. For instance, Haupu
right behind me. Haupu has multiple heiau that we cannot access as cultural practitioners due to large landowners like Rice, Grove Farm, and others on the other side of Māhāʻulepū. For me, it is just the whole process in itself letting us know that we actually have a bill that we can use to protect us, because what we are trying to do is not to...we are just trying to reconnect with our culture and continue to practice it. If we are not able to understand that there are laws to protect us, because if I decide to go to Haupu right now to pule and practice and offer my offerings to 'Io to God at a heiau called Keolewa, I would be considered trespassing and that for me is not pono. I just wanted to be able to testify saying there needs to be more community education that we have bills/laws that protect us when we want to protect our culture and perpetuate our culture. Why do we have to feel like whenever we decide to practice, which we should be practicing every single day—that is how I feel as a cultural practitioner—is that at least we know that we will be in pono, we will be in righteousness doing what we need to do and be present, because as a spiritual practitioner as well, that whole thing about our connection between our ancestors is being in an actual place that they were in. I just wanted to make my testimony into this Bill, because now that I know...I hope that you folks do not get rid of Bill No. 1993, because this Bill will help me as a cultural practitioner to be able to access my preserved cultural historic sites without feeling like I am going to be harassed for practicing my culture. So mahalo nui for you folks listening and look at how beautiful it is today in Alakoko (Alekoko) and Haupu.

Council Chair Kaneshiro: Okay, thank you. You will be able to watch the meeting on the webcast live if you want to stay on and watch the meeting. The Bill will come up later in the meeting.

Ms. Villatora: Okay, is the link in the E-mail?

Council Chair Kaneshiro: If you go to “County of Kaua'i webcast,” you can click on the County Council tab and you will see the meeting and video there. It will play a live video of our meeting right now.

Ms. Villatora: Thank you.

Council Chair Kaneshiro: Thank you.

Council Chair Kaneshiro: With that, let us go to Communications.

Councilmember Cowden: Roslyn is not coming.

There being no further testimony, the meeting was called back to order and proceeded as follows:

COMMUNICATIONS:

C 2021-36 Communication (01/22/2021) from Council Chair Kaneshiro, requesting the presence of the Managing Director, Director of Finance, and representatives from N&K CPAs, Inc., to discuss the Comprehensive Annual Financial
Councilmember Kuali'i moved to receive C 2021-36 for the record, seconded by Councilmember Cowden.

Council Chair Kaneshiro: I will suspend the rules. There will be a presentation by N&K CPAs, Inc.

There being no objections, the rules were suspended.

BLAKE ISOBÉ, Managing Principal, CPA, CGMA (via remote technology):

Good morning everyone. I am Blake Isobe, Principal at N&K CPAs. I have John Bautista with me here, too. He is the Senior Manager on the engagement for the past couple years and now he is a Principal, too. We wanted to spend a little time and go over a summary of the audits. We issued three (3) reports that are connected with the audit of the financial statements. The first one, which everyone is familiar with, is the Comprehensive Annual Financial Report or the CAFR and the financial statements of the County. We also issued a second report, which is the Single Audit Report. This report is required because the County receives and expends Federal funds. We also issue a Management Advisory Report. This is a byproduct of the audit that contains an additional finding that arose during the audit. It is not a required report, but it is just an additional report where we provide additional comments from the audit.

We will start off with the CAFR or the Comprehensive Annual Financial Report. First, I wanted to point out on page 11 of the CAFR, this Certificate of Achievement for Excellence in Financial Reporting. This certificate is the twenty-seventh (27th) consecutive year that the County received this award. The award is presented to the County for preparing the financial statements in accordance with accounting standards and submitting the CAFR by the due date, which is December 31st. There was an extension granted this year, so there was an additional month that we had to issue the CAFR due to COVID-19. The CAFR is broken up into a couple different sections. The first section is the introductory section, which contains the transmittal from the Department of Finance and the NDNA. The second part in the CAFR is our Independent Auditor’s Report and it goes on to our Government Wide Financial Statements—the Fund Financial Statements, the Notes to Financial Statements and Other Supplementary Information, and Statistical Information.

The first part that I wanted to touch on was the Independent Auditor’s Report which starts on page 14 and runs through page 16. On the top of page 15 is our opinion on the Financial Statements. Here we issue an unmodified opinion or a clean opinion on the financial statements. We also state on page 16 that we issued another report, which we will cover later, that we did audit the financial statements in accordance with government auditing standards and that report will be part of that Single Audit Report that we will go over later.

The first statement in the Financial Statements of the County is the Statement of Net Position, which is on page 30. On page 30, the County’s net position overall
year-to-year showed an increase of about forty-two million dollars ($42,000,000). This increase is mainly in the County’s net investment in capital assets. During the year, the County completed the two (2) additional cells in the Kekaha Landfill and purchased for the County’s Affordable Housing Development. Those increases increased the net investment in capital assets. I want to also point out that the County still does have a deficit in the Unrestricted Net Position of about two hundred seventy-eight million dollars ($278,000,000). I know we have covered this in the past couple of years as the accounting standards required the counties and governments to pick up the liabilities for the pensions and Other Post-Employment Benefits (OPEB). So with that totaling about four hundred forty-seven million dollars ($447,000,000) for the County, they created this deficit in Unrestricted Net Position. There was also a couple other noted fluctuations on the Statement of Net Position. There was an increase to cash of about seventeen million dollars ($17,000,000). Also an increase due from other governments of about sixteen million four hundred thousand dollars ($16,400,000). Lastly, the increase as I mentioned in the Net Capital Assets of about twenty nine million eight hundred thousand dollars ($29,800,000). The last thing is the increase of unearned revenue of about ten million eight hundred thousand dollars ($10,800,000) and that is the moneys you folks received from the State for the Coronavirus Aid, Relief, and Economic Security (CARES) Act that was not yet expended as of year-end.

The next statement is on page 31 which is your Statement of Activities. This is like the income statement of the County. On the bottom, you will see your general revenues. There was an increase of about six million five hundred thousand dollars ($6,500,000) in total general revenues. Most of that is the increase in your real property taxes of about ten million five hundred thousand dollars ($10,500,000). Your program revenues, which is on the top, there was an overall increase of about twenty-four million dollars ($24,000,000) in program revenues. Most of this increase is about four million three hundred thousand dollars ($4,300,000) in operating grants and about twenty million dollars ($20,000,000) in capital grants and contributions. These increases are due to some of the capital projects that were completed during the year. On the expense side, there was actually only about one million five hundred thousand dollars ($1,500,000) increase in expenses. Overall, from year-to-year is flat.

The next statement in the CAFR is your Fund Financial Statements. This is the balance sheet by fund and it starts on page 33. Here are some notable fluctuations with an overall increase of six million dollars ($6,000,000) in the General Fund balance. Here you will see that increase is due to the increase in real property tax revenues of about ten million four hundred thousand dollars ($10,400,000). Offset by a decrease in the State Transient Accommodations Tax (TAT) distributions of about two million five hundred thousand dollars ($2,500,000). The Bond Fund balance decreased by about ten million dollars ($10,000,000). Normally that fund balance in the Bond Fund will decrease as you expend the moneys from any bond float that you have. Your General Capital Improvements Fund has an overall increase of about seven million nine hundred thousand dollars ($7,900,000), but the General Capital Improvement Fund is usually funded by transfers in from the General Fund. There was also some revenues due to the issuance of the Special District Bond for Kukui’ula. That is the notable fluctuations and the actual statements themselves. We also want to touch on some of the significant disclosures in the financial statements. As I have mentioned earlier on the statement on net position, the deficit in your Unrestricted Net Position of two
hundred seventy-eight million dollars ($278,000,000) was mainly caused by the reporting of the pension liability which at June 30, 2020, is about three hundred two million two hundred ten thousand dollars ($302,210,000), so a slight increase from 2019. However, it has increased over the years as you can see on the slide. The Other Post-Employment Benefits—this one again has increased, but up to two hundred eighty-two million nine hundred thousand dollars ($282,900,000), but the net liability because you folks have planned assets held by the Employer Union Trust Fund (EUTF), the net liability is decreased by about four million dollars ($4,000,000). So that is down to about one hundred forty-five million two hundred ten thousand dollars ($145,210,000). These liabilities are affected by the contributions you make along with the ongoing increases in benefits. The current Fiscal Year 2020, the contributions that were made to the Employees’ Retirement System (ERS) for pensions was approximately twenty-three million six hundred thousand dollars ($23,600,000), about three million five hundred thousand dollars ($3,500,000) more than the prior year. The funding to the EUTF for the OPEB was about seventeen million three hundred thousand dollars ($17,300,000), a slight increase of about seven hundred thousand dollars ($700,000) from the prior year. Another large liability on the books is your landfill liability. As you can see here there was a decrease in the liability of about fourteen million six hundred thousand dollars ($14,600,000). There was a restatement to that 2019 liability of forty-six million dollars ($46,000,000) and we will get into that as a finding in the Single Audit Report, but the decrease in the landfill liability is primarily attributed to the increased capacity, which increases the life of the landfill, and that liability is recognized based on the expected remaining life. So as you see from 2019 to 2020, it went from ninety-seven percent (97%) to seventy-nine percent (79%) full. The last disclosure in the Financial Statements is related to restatements that were made in the Financial Statements that we will cover in the Single Audit Report, Financial Statement Findings. There was one (1) restatement for open contributions that were understated in 2019 of about seven million three hundred thousand dollars ($7,300,000) and the landfill closure and post-closure costs which I just mentioned of about four million four hundred thousand dollars ($4,400,000) understated in the prior year.

Council Chair Kaneshiro: Blake, I will stop you right there. Actually, just finish the CAFR and then I will see if we have any questions before you move on to the Single Audit Report.

Mr. Isobe: Yes, sure. Actually, that is the presentation we had on the CAFR itself, so I am free to answer any questions.

Council Chair Kaneshiro: Are there any questions from the Members on the CAFR? We will go through the audit findings later on in the presentation and we can always come back, but just compartmentalize your questions to CAFR, Single Audit, or Management Advisory Report. If there are any questions now specifically on the CAFR, we can take it. Councilmember Cowden.

Councilmember Cowden: Most of my questions will eventually be for Reiko. Will we be talking to her later?

Council Chair Kaneshiro: Yes, she is on.
Councilmember Cowden: When we are looking at the Solid Waste elements, does that take into account any of the buffer zone requirements that passed at the Legislature? Does any of that get factored into our landfill evaluation?

Council Chair Kaneshiro: Blake, would you be able to stop the screenshare while we are doing the questions?

Councilmember Cowden: That could get addressed later, but I just did not want to move past it without at least calling attention to it, that there is a new law at the State level requiring buffer zones around our solid waste facilities and so far we are kind of saying we are okay, but I think that might end up being an issue. My simple question is, did it look at that or not?

ALLISON FRALEY, Acting Solid Waste Chief (via remote technology): I have a response. This is Allison from the Solid Waste Division.

Councilmember Cowden: Okay, thank you.

Ms. Fraley: Our landfill does have buffers around it at this time, so it is not impacted by Act 73.

Councilmember Cowden: Right, but we do not own that land. Okay, thank you.

Council Chair Kaneshiro: Are there any further questions on the CAFR from the Members? Again, if a question comes up later we can always ask it later. Councilmember Kuali‘i.

Councilmember Kuali‘i: In your third slide when you were talking about the Statement of Net Position and you pointed us to page 30, the actual statement there. When you talked about the deficit in Unrestricted Net Position of two hundred seventy-eight million dollars ($278,000,000), then under that the bullet is Pension and OPEB with a total of four hundred forty-seven million dollars ($447,000,000), this has to do with the State law requiring us to account for the future costs of that benefit, right? How far out is that requirement and is that going to continue being that way or will it change? I guess I should stop there.

Mr. Isobe: That deficit in your net position is actually required by government accounting standards. So every municipality or every state government needs to record these type of liabilities for other post-retirement benefits, OPEB, and pension benefits. It is not just the State that is requiring it, it is just Government Accounting Standards Board (GASB) itself.

Councilmember Kuali‘i: Okay. It is actually for all employees that will eventually retire one day based on whatever they qualify for according to the State law.

Mr. Isobe: Correct. There are actuaries that do these studies on both the pension and OPEB to do estimates on...there are a lot of different things like vesting, increase in health costs, age, mortality tables, and so there is a lot
of different information that goes into the projection on what the liability is today for both retirees—people who have already retired and are receiving benefits, but also current employees as they continue to work, they are earning this benefit that is going to benefit them when they are going to retire, if they make the years of service and other requirements to receive these types of benefits.

Councilmember Kuali‘i: My last question on this is, is there a range or percentage of what is required to be funded, if you will, or does GASB just require that you report what the future liability is?

Mr. Isobe: GASB only requires that the liability be reported and accounted for. I guess, all the disclosures are presented in the financial statements. The funding requirements are not actually required by GASB. I know the State has had different funding requirements for EUTF and ERS, so that is more dictated by those boards.

Councilmember Kuali‘i: Will it come up somewhere else in your report on how funded we are in comparison to whatever the minimum the State requires and maybe to other counties?

Mr. Isobe: The EUTF or your OPEB—there is a disclosure specifically on how funded you are. If you want to look at page 99 of the CAFR, because the EUTF is set up to where you have these plan assets specific for the County of Kaua‘i’s employees, this table is being able to be presented where you have your gross liability. It is kind of like a row forward; it shows what your liability was as of last year, then the different costs that are going into there like the service costs then the accruing interest on that unfunded balance. Then in the second column it shows your plan assets that are there or your Fiduciary Net Position that is being held by EUTF, specifically, to pay the benefits for your retirees, which is one hundred thirty-seven million seven hundred thousand dollars ($137,700,000). Then the Net Liability is there at about one hundred forty-five million two hundred thousand dollars ($145,200,000).

Councilmember Kuali‘i: Thank you very much.

Council Chair Kaneshiro: Are there any other questions from the Members on the CAFR for now? Blake, we will move on.

Mr. Isobe: I want to introduce John Bautista. John is going to present the second part of the presentation. I will run the slides and he will talk. Go ahead, John.

JOHN BAUTISTA, Principal, CPA, CGMA (via remote technology): Now we are going to move on to the Single Audit Report. So this is a separate report from the CAFR that Blake just went over. We are going to start on page 6 of the Single Audit Report. This is our report on internal controls over financial reporting and on compliance and other matters. This is a required report to be issued whenever we do an audit under government auditing standards.
At the bottom of page 6, it states the report on internal controls over financial reporting. If you flip to page 7, here we noted three (3) deficiencies that we determined to be material weaknesses in the current year that I will go over in the next couple of slides. If you go on to pages 9 through 11, this is our report on compliance for each major federal program and internal control over compliance. This report is also required to be issued whenever we expend federal moneys in a current year.

Moving on to page 10 of this report, here we state our opinion on our audit for each major federal program. Here we state, in our opinion, that the County complied in all material respects to the compliance requirements for major federal programs. That means that we did not identify any material weaknesses or any findings on any major federal programs during this year’s audit. If you look below that, that is our report on internal control over compliance. We noted here that we did not identify any material weaknesses over compliance also. If you flip to page 11, this is our report on the Schedule of Expenditures of Federal Rewards (SEFR), otherwise known as the SEFR and here we state that we determined that it is also fairly stated and we provide for a clean opinion for the SEFR. The SEFR stated on pages 12 through 18 of the Single Audit Report, and if you flip through those pages it details the various programs on the County SEFR of which there was total of forty-two million eight hundred thousand dollars ($42,800,000) in the current year. These pages lists out all of the federal grants that the County has and the expenditures that were incurred in the current year. Now there was an increase from the prior year’s SEFR, which had a total of twenty-seven million two hundred thousand dollars ($27,200,000) and this is mainly due to the current year transportation grants that were expended and these are related to the Lihue Town Core improvements. Also, there was a large amount related to landfill grants related to the two (2) cells that were constructed for the Kekaha Landfill.

Moving on to page 21 of the Single Audit Report, this is the summary of audit results. Here on the top it states that for the financial statements the type of auditor’s report that we issue was an unmodified or clean opinion. We did note that there were several instances of material weaknesses included in the current year, but no significant deficiencies or other material noncompliance to report on. If you look below that, we have our Federal Awards section, here we also noted there were no material weaknesses, no significant deficiencies, and also issued an unmodified opinion. There were also no other compliance findings that needed to be reported on related to any of the major federal programs. If you look below that we list the three (3) major federal programs that we tested in the current year and these are the Bus and Bus Facilities Formula and Discretionary Program, the National Infrastructure Investments Program, and the Capitalization Grants for Clean Water State Revolving Funds. On the next section below that, this is the threshold used to distinguish major programs in the current year. This is based on the SEFR total. We also note that the County did not qualify as a low-risk auditee for the current year. This was related to a prior year’s material weakness that we noted related to timely reconciliation of the County’s bank accounts.

Moving on to the next slide. This slide coincides with page 22 of your Single Audit Report. Here we listed differences between each type of finding. Based on materiality calculated in the current year, which is based on aggregated amounts in the County’s Financial Statements, a finding may be material, which we state as a
deficiency which will not prevent or detect a material misstatement in the CAFR or the Single Audit. We know the significant deficiency is less severe, but in quite enough to note and report on and bring to the County’s attention. Other reportable findings are just instances of noncompliance that we are required to report under Uniformed Guidance and the Compliance Supplement. In the prior year we only identified material weaknesses in the Single Audit Report, which I will now go over in the next couple of slides.

Moving on to the findings. This starts on page 22. I will briefly provide additional background on each of the current year’s findings. On this slide we noted a material weakness related to the County’s OPEB net liability. This was already touched upon on the restatement note that Blake had discussed earlier that was part of the CAFR. During the initial implementation of GASB 75, which requires the County to record its netbook of liability, there were seven million three hundred thousand dollars ($7,300,000) in contributions made after the measurement date of the actuary report used that year that were not recorded on the balance sheet, but instead was expensed. So this was due to a timing difference between what the Finance Department determined to be picked up for the OPEB liability versus what the actuary actually picked up for the OPEB liability. So this finding was basically due to the cutoff date of the actuary report that was used that year.

The next finding we noted is on page 23. It is on the next slide. This is the finding related to the County’s landfill liability. This finding was also part of that restatement note that Blake discussed in the CAFR. Here we noted that the County continued to use a 2013 consultant report of its estimation of closure and post-closure liability costs during 2019. However, the County had an updated 2016 consultant report that it had received in prior years. The prior year estimation of the closure and post-closure liability was updated using this 2016 report and this resulted in a four million four hundred thousand dollar ($4,400,000) additional accrued liability that should have been recorded in the prior year.

On the next slide, this is our last finding in the Single Audit Report. Here we state a finding relating to the reconciliation of State Grant Programs. During the audit we noted three (3) instances where revenues and expenditures were not reconciled by departments responsible for administering those grants, which resulted in revenues being recorded in the wrong funds, such as the Federal Fund versus the State Grants Fund or recorded to a project code that should have been closed in prior years and recorded as a new project code. So this resulted in over statements of carrying over balances from the prior year into the current year.

Moving on to the next slide, this is the status of our prior year findings. We followed-up on any findings that we had in last year’s audit—this is stated on page 32 of your Single Audit Report. The first finding was related to the timely reconciliation of the County’s bank accounts, which arose in prior years mainly due to the changes in personnel in the Treasury Department—there was a lot of turnover in that department. This year we have team support and we noted the timely completion of the bank reconciliations; it was initially completed in July 2020 for the June 2020 month end, so we deemed this finding to be accomplished in the current year.
The prior year finding was related to the misfiling of information returns. During the current year we obtained support from the County’s Payroll Division and we noted a calendar system being used to monitor deadlines. Also, personnel are attending webinars to keep up to date with Internal Revenue Service (IRS) updates and compliance dates. We also deemed this finding to be accomplished this year.

That was it for the Single Audit Report, so I was going to move on to our last report, which is our Management Advisory Report.

Council Chair Kaneshiro: John, we will stop there and take questions. Then we will finish with the Management Advisory Report. Blake, can you stop the screenshare? Members, are there any questions on the Single Audit Report? Councilmember Cowden.

Councilmember Cowden: Thank you very much. When I look at the first two where we put it in the wrong year—the seven million three hundred thousand dollar ($7,300,000) and the four million four hundred thousand dollar ($4,400,000)—it is just a bookkeeping error more than any kind of missing money, correct? It just did not get put in the right place.

Mr. Isobe: Yes, that is correct.

Councilmember Cowden: Especially relative to the landfill, I just want to note for the record that we had difficulty maintaining leadership in this window in our leadership for the landfill and the Department of Public Works, so we had quite a bit of turnover and we have had acting roles, people coming into it. Allison or Troy, would you say that this is part of what creates that challenge, where something...I do not know where it is that we looked at the wrong year, August of 2013 as opposed to 2016.

TROY K. TANIGAWA, Acting County Engineer (via remote technology): Councilmember Cowden, this is Troy Tanigawa, for the record.

Councilmember Cowden: Okay, thank you.

Mr. Tanigawa: I understand your question. I thought I heard that you wanted to request confirmation from the department due to someone not being in the leadership position in the Solid Waste Division that had contributed to this misstep in updating the closure and post-closure costs, is that correct?

Councilmember Cowden: Yes, when I see a little bit of a challenge here when I read through this the first time, I was not completely surprised because it seems that there has been a lot of leadership turnover for various reasons, so I do not know who to hold accountable for it because they are most probably not here now. Am I reading that right, is it your department that would be putting these numbers together or is it more in the Department of Finance?

Mr. Tanigawa: Actually, the Department of Finance requests information from the Solid Waste Division regarding the landfill and the division puts together the response. During this time, when the information would have been
requested and prepared, there was not a permanent employee in the division head seat, so theoretically that could have led to an absence in some quality control before the information is sent back to the Department of Finance.

Councilmember Cowden: Okay, in our last CAFR report we had some problems, basically when the Treasurer left. I have been following along as the Department of Finance has rectified the problems, so I guess I am just listening in or asking to see if there are still any types of weakness, so we will not make the mistake again or if you need support in any way, just so we do not repeat it. Maybe the Department of Finance is who I really need to be talking to. I do not know.

MICHAEL A. DAHILIG, Managing Director (via remote technology): Councilmember Cowden, this is Mike Dahilig. This is an inter-departmental communication item that as the County Engineer has mentioned—it needs to be rectified. We have acknowledged the weakness finding, but it is, as we would characterize it is something that can be rectified moving forward provided we use the right study. So if we do any future studies that change the liability, we will ensure that quality control, as the County Engineer mentioned, will be updated to reflect any future studies related to closure liability, but at this point, I think using the most recent study is essentially the crux of the finding and that we use the most accurate information plausible when we give it to the auditors, so we will make that correction.

Councilmember Cowden: Okay, so it sounds like this is not something that needs follow-up. You folks have it taken care of, correct?

Mr. Dahilig: We will make sure that in next year’s audit work, we will give the most accurate and timely information related to the landfill liability as possible.

Councilmember Cowden: Thank you.

Council Chair Kaneshiro: Are there any other questions from the Members? If not, John, we can finish up with the Management Advisory Report.

Mr. Bautista: Okay. Finally, we have the Management Advisory Report. On page 3, we state that we noted an opportunity for strengthening internal controls and operating efficiency that we wanted to communicate to your attention and this starts on page 4. During the current year we noted three (3) instances where payments were made that did not use encumbered funds or purchase orders and rather were paid through voucher edit payments. So the County’s voucher edit policy, which was implemented in 2010, authorizes only specific transactions to be made without a purchase order or a contract encumbrance; however, other payments can still be made. If at the time of payment there is a memorandum of justification or support of justification of why that payment needs to be made. However, we noted that...I guess the failure to use encumbrances could lead to unknown commitments or unauthorized transactions that could pass through and payment be made, so we just wanted to communicate this for follow-up in the future.
Our other comment from the prior year on the next slide is on page 6. Basically we followed up on the prior year comment related to timely user access reviews of personnel using the various financial systems of the County. In the current year, we noted that the IT Division performed an annual audit of all active and inactive users by department to follow-up for whether they should be taken off the system or if their access rights were reasonable given their positions, so we also deemed this prior year comment as accomplished. Those were the only two comments for the Management Advisory Report.

Council Chair Kaneshiro: Thank you. Are there any questions from the Members on these or any in general if you do? Councilmember DeCosta.

Councilmember DeCosta: Thank you very much for the report. I just wanted to clarify the last one you did on contract encumbrances. I just wanted to know, how are we doing our payment schedule right now? We do not have any loopholes that can happen where we can make an authorized payment where we are not sure of documentation with receipts? That is not happening, correct? You folks wrote down that there were four hundred sixty-one thousand five hundred eighty-one dollars ($461,581) that was utilized, I just want to make sure there are no loopholes that can happen in the future.

REIKO MATSUYAMA, Director of Finance (via remote technology): Hi, this is Reiko Matsuyama, Director of Finance, for the record. I can speak to this. Based on this recommendation, payments had gone out without any encumbrance. We think that based on the recommendation that we have cured the finding. We have implemented new policies and we have updated old ones. So now, blanket purchase orders need to be used for every type of payment and this is going to cause a little bit of hardship on some of the departments, because they will have to encumber money that probably will not be spent, because they will have to overestimate what their units of metrics are. If they think they will use a certain amount, they are going to have to overestimate that in order to cover themselves on the encumbrance side, but it will close the loophole in being able to make payments without an encumbrance.

Councilmember DeCosta: Thank you very much, Reiko, for that, I feel much better.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: My comment and questions are for Reiko. First of all, I want to say, "Great bedtime reading all week." It did not put me to sleep. You did an excellent job in this opening. I remember two (2) years ago when we did not even have a comment in there about the 2018 flood, and now the qualitative analysis, ahead of the quantitiveness of the rest of it, was super helpful for me, so I want to give you a really big high thumbs up for that. Thank you.

Ms. Matsuyama: I cannot take credit for it. Renee Yadao, who is also (inaudible); she prepares it.
Councilmember Cowden: You are breaking up, who wrote that? Renee Yadao, okay. Good job. It helped me, as a Councilmember, to be able to process the rest of this report much more effectively. I want to turn our attention to page 8 and 9.

Council Chair Kaneshiro: In which report?

Councilmember Cowden: Pardon me?

Councilmember Kuali'i: Which of them?

Councilmember Cowden: The big fat one.

Council Chair Kaneshiro: The CAFR.

Councilmember Cowden: The CAFR. I found this was incredibly helpful, putting all of our union pieces together to be able to understand it. When I look at it and want to cut spending, I would think in this direction, because everyone received raises, but what I think is really important that did not make it into the analysis is how much turnover we have in really critical positions. I think that is important for why we have to pay people well. I also want to say, I loved how so many areas were covered. I just want to acknowledge the Department of Parks & Recreation, they have been basically the safety net for our social problems for this past year. I am acknowledging the hardships. They are on the frontline of the economic crunch. I felt you folks did a great job of being honest of the hardships that occurred to our whole community with our financial policies and our quarantine policies—we have had a really hard time—that has been good. Here is my big question—that was a "yay" thank you for all of this and the management discussion analysis—I thought we would be doing worse. I was braced for us to be taking a heavier hit. It looks like our County is actually financially sound, am I interpreting that correctly?

Ms. Matsuyama: Yes, I would agree.

Councilmember Cowden: Is it because the year ended in June...I guess I am living in the sequel to this little novel here. I am living in the sequel, I would expect us to be in a harder shape than this looks and that is the main reason and we had some of that CARES Act funding that we have not spent it all yet.

Ms. Matsuyama: I would agree. The pandemic started three (3) months prior to the end of this CAFR season, right, so we have not seen the impacts of COVID-19 yet. I would say that we are lucky that prior Councils and Administrations have implemented the Reserve and have taken steps to prudent financial and fiscal decisions, so we were able to use that fund balance and it is going to carry us. The problem with this Fiscal Year 2020 CAFR is this is only two (2) months down of Transient Accommodation Tax (TAT), where in Fiscal Year 2021 we expect the entire year down of TAT, so that is going to be a fifteen million dollar ($15,000,000) hit as opposed to a two million dollar ($2,000,000) hit next year. I will say, we are lucky that our Real Property Tax based is our primary driver of revenue, so right now we look good, because the TAT is about nine percent (9%) of our revenue. So it is big, but it is not that big. So I think you are correct in your analysis and going into Fiscal Year 2021 when
they come back here a year from now and present that CAFR, we will see more of the financial impacts to COVID-19.

Councilmember Cowden: At the bottom of page 5, the second to the last paragraph, it says, "At the end of the third quarter of 2020." Does that mean September?

Ms. Matsuyama: March 31, 2020 would be the end of the third quarter.

Councilmember Cowden: Okay, so it is the fiscal quarter. There were elements that I do not know if I agree with that, but that would be March.

Ms. Matsuyama: Yes.

Councilmember Cowden: Okay. Great job on writing this up. I found it so much easier to work with and I felt like this has been really helpful for me in being able to be prepared for our budget season that is coming up. Although, I will probably at that time ask you a few questions, because we are in worse shape now. I think our residents are in worse shape.

Ms. Matsuyama: We will be in worse shape, obviously because we touched our Reserve to cover half of the TAT for Fiscal Year 2021, so I will just make that comment. In response to your comments about how great this is, I need to give credit to Renee and her staff in Accounting, because they dedicate the entire last part of the calendar year for the audit and that write-up; I know she takes great pride in her work and it is reflected on that report.

Councilmember Cowden: Okay. On page 4 in tourism, Renee did a good job of giving us a preview into this timeframe, because we are looking at September and November, visitor arrival numbers. So some of this is up to date, I do not think it detracts from the value of this document. That might have been why I was a little confused, so maybe we can say third quarter Fiscal Year, but anyway, again, very good document. I appreciate it. I have tried to read the whole thing.

Council Chair Kaneshiro: Are there any other questions from the Members? Is this the first year we do not have the P-card finding or was it last year?

Ms. Matsuyama: Last year.

Council Chair Kaneshiro: Okay, good job. I think that was in every single year that I have been on Council. Councilmember DeCosta.

Councilmember DeCosta: Hi, Reiko. Thank you very much for all you do and thank you for giving credit to the people who deserve the credit; that is a sign of a great administrator. With that being said, I wanted to ask, when we lowered the residential investor real property tax assessment value from two million dollars ($2,000,000) to one million three hundred thousand dollars ($1,300,000), we are going to gain a few extra dollars in our budget, would that go towards replacing some
of the nine percent (9%) revenue that we are going to be losing from our TAT? Is that going to help offset that a little bit? Did we run some kind of numbers to figure that out?

Ms. Matsuyama: Yes, we did run numbers, but our numbers are very, let us say on the high-end, because I am sure some of those four hundred (400) or so properties that fall in that threshold will have long-term tenants on them, so our numbers are high. That will not come into play until Fiscal Year 2022, so you will not see any benefit in the next couple of years for that. Our Real Property Tax system is even further on a lag, so I joke that in the Department of Finance—Renee is working in the prior year; we are working in the current year; Ken Shimonishi, who is doing our budget is working in the next Fiscal Year; and Real Property is working...we have four (4) years that we are working on in the Department of Finance, so it is a little confusing to get your head around the timing.

Councilmember DeCosta: I just would like to say, on behalf—I would like to say our Council—I think you folks are doing a great job as looking forward. Our own national government says four (4) years out before tourism may come back and I really want to praise you folks for finding ways to increase our property tax, so thank you very much.

Council Chair Kaneshiro: Are there any other questions from the Members? If not, I will call this meeting back to order. Is there any final discussion from the Members? Councilmember Cowden.

There being no objections, the meeting was called back to order, and proceeded as follows:

Councilmember Cowden: I will just be real simple. I pretty much said it already to Reiko. I appreciate our staff. I appreciate the quality of the document and I know that I will be utilizing it, especially with some of our employment elements. Thank you again to them and I want to just thank whatever departments maybe did not get quite enough attention. I want to acknowledge the Department of Parks & Recreation, because they probably get some friction from me because I advocate pretty hard for the houseless. Good job Department of Parks & Recreation.

Council Chair Kaneshiro: Is there anyone else? Council Vice Chair Chock. Was someone going to say something?

Councilmember Chock: Thank you. I am not sure if you had something to say, but I just wanted to also offer my thanks. I think this is the eighth CAFR that I have looked at, actually more than that, but it has become increasingly more efficient to me, I see a better job every year. I just want to give “kudos” to our Administration and thank you folks at N&K CPAs, Inc. for the good work that you folks do in collaborating to pull this together. I look forward to continuing to collaborate and look for ways that we can improve, I think is really the reason why we do this annual review, because I do see some shortfalls in our budget and Reserve Fund. I want to be able see how we can leverage or move from this point and prepare better for what is coming, so thank you.

There being no objections, the rules were suspended.

Mr. Bautista: Also, on our side, we would like to say thank you to all of the support provided by the Department of Finance, especially Renee. This is the first time that we did the audit completely remotely and also this meeting completely remotely. So without the Department of Finance's help, including Reiko and Sherri, Ken, and all of the County personnel that we have been bothering for months to do this audit, we would not have completed it today. Again, we would like to thank everyone for all of their help for this year's audit.

There being no objections, the meeting was called back to order, and proceeded as follows:

Council Chair Kaneshiro: Thank you. I will call the meeting back to order. Are there any final comments from the Members? I want to say thank you to all of you, great audit. I think, over time as we have watched the audit, the findings have been less significant over the years. I remember when we would have the same findings every single year and I think now you see us getting rid of a lot of the findings that have happened, doing corrective action on them, so I am happy with the results of the audit. The finding we have now are more recording things, rather than errors, no documentation, or things like that. I just want to thank all of you for your hard work. Thank you to Reiko, her staff, and everyone for their hard work on the audit. Councilmember Evslin.

Councilmember Evslin: Thank you, Chair. I just want to echo my colleagues here and thank everyone for the hard work on the audit. When I saw this on our agenda, I felt like we have just done this maybe a month ago. I feel like I fell into a time portal over the last year. I cannot believe it has been a year already since we have had you folks here, but I definitely want to echo what Chair Kaneshiro was saying, it seems like we have had some significant improvements here. I remember my very first term sitting down and there were significant issues with the reconciliation, and I thought, “Oh, boy, is this how it always is?” But now it looks like we have made a lot of progress, so thank you all for the hard work here. For anyone from the public, this is a treasure trove of information, so it is really a worthwhile read. I look forward to continuing to dig into it over the next year.

Council Chair Kaneshiro: Councilmember Carvalho.

Councilmember Carvalho: For me, in wrapping up, we have an awesome financial story with how everything has been put together. I understand the total picture of how everything...from the revenue and all the things we need to address overall, but the team has done a tremendous job and I look forward to the challenges that we have forthcoming as we look at our new budget sessions coming up, but I think we have a great foundation based on all the work that you folks have done. Great job and I look forward to working close on every step of the way, as we look at our new incoming budget discussions that will really put some challenges on the table, but we have a good start and foundation, so mahalo.
Council Chair Kaneshiro: Is there anyone else?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to receive C 2021-36 for the record was then put, and unanimously carried.

Council Chair Kaneshiro: The motion passes. Next item.

C 2021-37 Communication (01/20/2021) from the Director of Finance, requesting agenda time for a briefing from KPMG LLP, on the Information Technology Division’s Countywide IT evaluation project.

Councilmember Kuali’i moved to receive C 2021-37 for the record, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: I will suspend the rules. Nikhil and Jeff have a presentation. Councilmembers, we will do as we always do, we will allow them to complete their presentation first, then we will ask questions later.

There being no objections, the rules were suspended.

Ms. Matsuyama: This is Reiko, can I give an introduction before KPMG, LLP (KPMG), dives into their presentation. Just part of public awareness, this is basically a strategic platform for our IT; this is something that our current Administration is really enthusiastic about. Technology is one thing that we cannot stay status quo on, we need to stay competitive. There are a lot of dollars coming into...that will come out of recommendations from this project. It is an overwhelming amount of money that is going to be talked about, but it is something that needs to be done over the course of many years and what we are trying to do now is find low-hanging fruit that we can get our hands around and try to make quick fixes that will make big changes and big efficiencies for the County, so KPMG has done a really good job of going through this. Just know that it is an ongoing investment. There is not an end date, we are always going to try and improve, so it is not like we will implement something and we are done with it, we implement something and look at what is next. That is how we stay competitive and how we stay proactive in the IT world. I just want to do a little “shoutout” to our IT Division, you folks know firsthand when this pandemic hit, we really were able to pivot into a teleworking environment. It is really credit to our IT team and how they were forward-thinking in getting Office 365 up and going, so we had the ability to do these Microsoft Teams calls. To be honest, we were well ahead of the game as compared to all of the other counties throughout the State, so “kudos” to our IT team. With that, I am going to turn it over to KPMG, who had done a really good job, but I want them to share their findings with you.

CHRISTINE DUBOIS (via remote technology): Thank you, Reiko. Good morning, Councilmembers, thank you for the time on your agenda today. My name is Christine DuBois and I am joined on the line by two (2) of my colleagues that I have
been working with the County, so you will hear from Nikhil and Jeff shortly. Thank you for that great introduction, Reiko, and thank you to the team that presented just before this; what an amazing feedback and discussion around an audit report, that was awesome. Such a positive response to follow; it was great. As Reiko mentioned, we have been working with the County, primarily with the IT team and Reiko’s team since last summer. We have provided a few updates to the Councilmembers during the project and we wanted to give you a final update today, as we are wrapping up the project this month. So we will take about twenty (20) minutes to walk through the material. I believe you have received it in advance. There is a lot of content on the pages and we are not planning to walk through word-for-word, but happy to take questions or comments at any time. You can see here, brief agenda for today. We plan to give you an overview reminder of the project deliverables, the approach, and the guiding principles of how we came up with the recommendations.

Council Chair Kaneshiro: Sorry, Christine, would you be able to share your screen?

Ms. DuBois: Sorry, I am getting some feedback. We will give a summary of the outcomes that we have reported in the deliverables.

Council Chair Kaneshiro: Christine.

Ms. DuBois: Well...

Council Chair Kaneshiro: Christine.

Ms. DuBois: That primarily focuses on what is going well...

Council Chair Kaneshiro: Christine.

Ms. DuBois: ...and where there are opportunities for improvement.

Council Chair Kaneshiro: Can you share your screen?

Ms. DuBois: Yes, sorry. I do see that Nikhil was showing the presentation, are you able to see it?

Councilmember Cowden: No.

Councilmember Kuali‘i: No.

Council Chair Kaneshiro: Okay, we got it now.

Ms. DuBois: I am able to see it on my meeting. Do you want to try again Nikhil.

Council Chair Kaneshiro: Okay, it is good.

Ms. DuBois: Okay, great. We will spend the majority of the time going through the proposed future initiatives. We have discussed this with Reiko and the IT team and wanted to give you an update on where we landed on those
initiatives and then the overall roadmap view, so just one quick note for you, today is a brief summary of much longer deliverables. We have much more lengthy reports that we have gone through with Reiko, Del Sherman, and the team; you are welcome to see those if you would like. In our presentation today, we have been an advisor to the County and helping them step through this strategic planning process, but we do not advocate for any particular public policy, either for or against, so I just wanted to be clear on our role. Okay, I think we can go on.

Great. Brief reminder of the project objectives and each of the key phases. If you remember when we introduced it to you last summer or fall, the project title Holomua is loosely translated as progressing or moving forward. So we thought that was an appropriate name for this work by the County that is really focused on building a technology modernization roadmap. As Reiko mentioned, both for a quick win now, but then also thinking through your more long-term infrastructure to build a foundation for the next few years. I want to recognize that the County was already beginning these efforts last year before the pandemic. You had already started great work focused on improving the service delivery to your constituents and investing in those long-term technology and IT capabilities. Then we know that the pandemic emphasizes the need at every level of government, so not just you, but we saw it at every state, county, and federal level, to really focus on improving your technology capabilities and move quickly to adapt to new ways of working; so moving away from paper and in-person services, moving towards delivering more information across multiple channels, improving collaboration with the public and with employees, and also more transparency, just being able to communicate better with the public while everyone was working remotely. While this may be a weird time to be thinking about laying the foundation and investing in this IT infrastructure in the middle of what still feels very much like a crisis, as Reiko has mentioned, this is exactly the right time to be doubling down on the things that you know are working well and that you have already made good progress, but also making sure that IT planning is part of your longer term resiliency and rebuilding effort. It was unfortunate timing when there were a lot of other priorities going on in the County, but we think it actually made a lot of sense to spend some effort on this planning phase.

You can see here, we had four (4) key phases in our project. We started out in the summer focused on getting an understanding of what happens in IT right now; so what is the scope of the IT capabilities, what are they provide to departments, how do they interact with various other teams; we focused on gathering a lot of information in Phase 1.

Phase 2 was more assessing against and operating model. So we have an IT operating model that brings in leading practices and standard capabilities that we typically see in government IT teams. So we provided an assessment against that operating model to identify what is going well and highlight potential gaps.

In Phase 3, we focused more on that transformation strategy plan. So building on the opportunities that we saw for improvement—really tailoring those into initiatives that makes sense based on those potential gaps. That is what we will focus on providing today; giving you more specifics on each of those initiatives. Then the
roadmap brings them all together to try to demonstrate which pieces of the initiatives might fit together and how you might want to think about sequencing them.

Finally, in Phase 4, which we have been focusing on for the last few months, we worked with the County to think about quick wins and what we are calling emerging opportunities; some ways to think about prioritizing future investment, more of the long-term system and technology transformation, but also how to start mobilizing and jump-starting some of the initiatives that do not require a cost investment right now. So we will talk a little bit about that when we get into the initiatives. That is my summary of the phases, I think we can go on to the outcomes. Thanks.

I wanted to summarize for you on one page, some of the key activities and outcomes. You can see that we conducted a ton of interviews across the IT team, so not just at the leadership level, but a cross-section of the IT team and fourteen (14) departments and divisions within those, plus the County Council, so we spoke to many of you and your Council Services Staff as well. We did a fair amount of system walk-throughs with different departments on some of their key current technologies, so they could demonstrate for us what were some of the challenges, what were some of the things that they like and think need to be expanded, currently. Then we conducted some workshops more recently with some of our subject-matter professionals to bring ideas of what is going on elsewhere in other governments that are comparable to the county; just think about leading practices or examples of good practices across the industry.

(Councilmember Kuali'i was noted as not present.)

Here I would like to echo Reiko’s “shoutouts” and give a huge thank you to the entire IT team, but specifically Reiko and Del who were spearheading this. Reiko from the leadership level and mobilizing all the folks to be involved in the project. Del, Winston, and Max on the IT team—really helping us to coordinate all of these meetings, get great participation from all the divisions.

(Councilmember Kuali'i was noted as present.)

As you can imagine, this is a quick summary and we are giving you a snapshot today, but this is over seven (7) months of work behind the scenes from all these folks, especially on the IT team, so lots of critical thinking, feedback, and working hand-in-hand with us, so we appreciate it, it has been such a pleasure. I think that is it for the key outcomes.

Before we dive into the initiatives, we wanted to remind you that as we were putting together the roadmap, we started with thinking through the perspective from each of these key stakeholder groups. So this mirrors how we understand the County does its strategic planning currently, and your target groups when you think about IT and technology investments. So you can see the four (4) quadrants; residents and visitors, we focus on understanding what technology is valuable to them, both for them to interact with the County, then for you as the County to be able to communicate information out to them and improve transparency. Local businesses,
similar to residents; we focus on the addition of enabling the seamless communications and coordination across government for them to be able to complete those common activities easily, especially in this remote working environment. Then employees on the bottom left, as Reiko mentioned, there has been great progress recently on the IT side being able to enable employees to work remotely, collaborate across departments, provide those tools, and so we really focused on what are the tools on the underlying infrastructure that they need to be able to do their jobs effectively and to serve the public even better. Finally, looking at a couple other levels of government. So thinking through federal and state; focus on how to enable collaboration there, improve the communication and data sharing, then comply with regulations as needed. So those four (4) groups are the perspectives that we took when we were doing the interviews and thinking about the leading practices that we were bringing across the County. Okay. We are happy to take questions if you want us to pause at any time, otherwise I think we will dive into the initiatives. Okay, I will turn it over to Nikhil to focus on those.

NIKHIL LOYAL (via remote technology): Thank you, Christine. Hello, everyone. It is a pleasure to be speaking with you again. I know that over the course of the past few months we have had a couple of updates on this project, so some of this might be repetitive for you, but we just want to establish the foundation for how did we get to our recommendation for the future of IT at the County of Kaua'i should look like. It is imperative that we understand that some of our design principles have been well before guiding principles in current state. What are some of the opportunities that lie ahead for the County, and what are some of the things that the IT team is doing well. So we are going to talk about that first before getting into the details of the recommendations for the future. Christine talked about the various sets of stakeholders that we have kept in mind, as we think about the future of IT at the County of Kaua'i, now those include residents, visitors, local businesses, other state and local governments, as well as employees. So keeping all of that in mind, we have been working with these guiding principles that you see on the screen, so there are six (6) of those, and these have informed with how we think about the future of technology. Some of these are more important than the others, but we want to bear in mind that all of these will have a role to play, in terms of how technology updates down the line. As we talk about some of these, from our perspective it is very important that the overall landscape of technology within the County of Kaua'i, regardless of who the technology is serving, it should be connected to each other, it should be integrated, and shall offer a transparent form of governance. At the very same time, the County should not forget its essential role of serving its stakeholders, therefore, from a technological means it should offer a single face of government to all stakeholders out there. There are ways and means to do that, but our primary purpose is to be able to keep in mind that there should be a single, one-stop shop for a single face of government being offered to all external stakeholders as well. As technology expands, as it grows, as Reiko was also talking about that this is not a onetime solution, but rather an evolving solution. There should be an enterprise architecture-driven means to grow the technology to develop that technology. Therefore, the focus should always be on what is the right way to go about increasing and improving the technology landscape, and that should always be anchored around enterprise architecture as a whole, rather than developing, building, or buying solutions in isolation. It is very important that this technology serves everyone,
offered stakeholders, therefore this technology should be inclusive in nature. We understand that we might offer some technology solutions which some residents in the County might not be able to leverage or use. Therefore, our recommendations in how to get to that technology should always be inclusive in nature; that is everyone should be able to use technology or its alternative solutions. Going forward, there is a need to build more digitized and standardized processes, not just within the IT team, but across the departments and divisions within the County as well. Up until now, what I will be talking about in terms of guidance principles are sort of wish lists, sort of a blank check, but we also want to constrain it by saying that a lot of these solutions should be cost-efficient, so cost should always be borne in mind. Going along the same lines of how the IT team has been operating thus far. These six (6) have been the guiding principles which we have kept in mind as we think about the current state, but more importantly how the future state should operate.

Earlier we talked about us spending a lot of time understanding the current state, establishing that baseline of how the County operates today. A lot of that falls down through the medium of a number of discussions that we have not just with members of the IT team, so we conducted ways of IT discussions, but we conducted a number of ways of customer discussions as well, with various other departments and divisions within the County, also, with the Office of the Mayor, with various members of the Council and Council Services, to be able to understand how do they consume technology today. What they experience and what aspirations do they have for the future, but in doing so we also acknowledge that there are a number of things that the County IT team is doing well today, partly in terms of embarking on journeys to digitize documents, to digitize a number of other capabilities, investing in a number of further technical capabilities, such as extracting the Laboratory Information Management Systems (LIMS) program, the human resources program, and sharing that within the IT team that is sufficient mobility within the set of resources there are, so there is opportunity or room to grow for each member of the IT team by taking on new skills and new challenges. Modernizing or starting to modernize the IT Help Desk, but most important, we want to acknowledge or what we have observed firsthand as well, is how the IT team has been able to quickly pivot into the new ways of working when the pandemic hit. Just for reference and to put into context, we started this project a couple of months into the pandemic, not entirely the start of it, but at that time we observed that the County had completely adapted to the new ways of working. Thanks in large part to how the IT team enabled a large suite of tools from a collaboration, as well as productivity standpoint. All of that is easier said than done, so in reference we have been working with a number of other clients, some of whom are multi-billion dollar operations with IT budgets upwards of one hundred million dollars ($100,000,000), sometimes five hundred million dollars ($500,000,000), so they have all of their resources at their disposal. From my perspective, having worked with a number of those types of clients, I do not even see a single level of difference in terms of productivity or how effectively we were able to collaborate with members of the IT team, as well as other divisions and departments, so I think that speaks volumes about how quickly the IT team was able to pivot into that mode of working. We would like to call that accomplishment out. With that said, we acknowledge that there are a number of further opportunities that are available to the IT team and to other departments, in terms of what investments can be made from a futuristic standpoint, as far as technology is concerned. So these are
some of the examples that you will see over here. Some of these are related to investment in technologies. Some of these are related to governance or processes. All of these opportunities have translated into the recommendations that we have for the future state, which will be talked about. Essentially, in summary, we were talking about new system requirements or modernizing the systems landscape, investing in new capabilities from a technology standpoint, as well as to be able to better solve some of the stakeholder groups that we talked about; particularly, the residents, as well as visitors, and local businesses. From a process and capability standpoint within the IT team, we have also focused on how governance can be enhanced going down the line, as well as growing the IT team and the capabilities within the IT team, so on and so forth. These opportunities that you see on the screen have greatly informed what new areas should the County invest in for a better future down the line.

What you see here are categories of proposed future initiatives. We have come up with nineteen (19) initiatives that the County should embark on. Those are leading the ways of priority and the resources acquired to be able to implement those, but essentially those nineteen (19) initiatives can be grouped into these seven (7) categories that you see on the screen. Some of these would have a direct impact and would be visible to the external stakeholder group, but a number of these also relate to how the IT team operates and enhancing some of the processes in governance within those. I will briefly talk about what these seven (7) categories are. From an IT department perspective, we have talked about enterprise architecture, governance, people and skills development, as well as IT service management. These are primarily focused on how the IT team operates. That is, putting new enterprise architecture skills. That is to say that, how does the IT team make decisions on reviewing, designing, implementing, configuring, and maintaining any IT capabilities within the system, so I should be able to have a baseline framework which will inform all of those decisions down the line. From a governance perspective, how does the IT team internally group together, as well as create new rules and responsibilities within the team to effectively and collaboratively work with various departments, help them understand what their technology needs are and help them develop those technology needs over a period of time. From a people and skills development perspective, there is a lot of great work that is already going on there, so continuing to doing those and investing in new skills that are required as technology and the world of technology evolves around you. From an IT service management, we talked about the (inaudible) initiative and the way for it already, but ensuring that over a long range of...this is more of a service into the organization—the Help Desk within the IT team—that is data driven, that is metric driven, that provides an online channel of reaching out to the IT team for any kind of maintenance requests. Some of the other ones have to do with more interest to the audience or how they relate to the application portfolio that is rationalizing the current landscape of applications and technology, but more importantly investing in some new technologies out there, such as from an enterprise, planning perspective, from a document management perspective, so on and so forth. Then from an external to this group, as well, investing and citizen engagement as well as reporting capabilities. If you remember we talked about providing a single face of government out there. Ensuring that there is a capability in place that is a public portal where all members and stakeholders of the County of Kaua‘i can engage directly with the
County of Kaua'i government regardless of whichever department they are connecting with, so providing a single face of government out there. In the background; ensuring there is a service oriented culture to be able to support any kind of citizen engagement. Ensuring that there are particular forms of interactions with various members of the stakeholder groups that we talked about, ensuring that those are (inaudible) driven, effectively reported, at the same time, investing in digital forms of payment as well, so bringing all of those under the same umbrella. Finally, ensuring that information is readily available. Particularly to the County leadership, that is Members of the Council, as well as the Office of the Mayor, so all information being available at the click of a button or in standardized forms of report, other than having to wait for long periods of time for standard reports that are out there. These are the seven (7) categories that we have broken down or grouped as initiatives and Jeff will talk about what those nineteen (19) initiatives are and how we have started making progress on some of those.

JEFF MASUMOTO (via remote technology): Thank you, Nikhil. My name is Jeff. It has been great to work with your IT Department and meeting all of you as well and I want to thank Winston, Max, Del, and Reiko. As we go through these initiatives you will see that they are grouped in several key categories. The first category, as Nikhil mentioned was, enterprise architecture, so that is probably a key theme that runs throughout a lot of these initiatives. Enterprise architecture that is the intentional planning an implementation of systems, practices, people, and resources to commit to the architecture that supports the entire enterprise, so a lot of the progress that you folks have made so far in individual applications. This initiative brings that forward to the next step to make sure that they are properly integrated and you get the full leverage of all the capabilities of those systems. That involves identifying a role to help implement this architecture, then the person in that role would then execute on helping the County adopt the new practices, adopt data governance procedures, and build out the network resilience on the underlying infrastructures to support this architecture. The next area is in governance; so that is the people and policies piece of implementing this enterprise architecture. So putting together the project management practices, so that as you build up the projects that are executed to implement this architecture are properly managed. Then the second one is to identify an IT champion, who is someone who works within the IT Department on behalf of or is a champion for the other department. For example, Winston or Max would be the person who would be the champion for Finance or the Police Department or so forth, and that is to ensure that all of these projects at the IT Department is executing on or are integrated and worked well together. As part of that governance process, we would have strategic planning sessions, and develop decision making structure to make sure all of this works together. Next slide, Nikhil.

The next group of initiatives are the working systems. So far we have talked about the governments and architecture; the actual system to come in place is this initiative. I should note that when we look at what we call application landscape of the County, which means looking at all the systems in place, overall, everything looks very healthy. Starting from infrastructure of everything it looks very healthy, there is good work being done, especially in the document management area, which will support the initiative that Nikhil mentioned for providing better transparency and a
Ms. DuBois: Thank you, Jeff. I am going to talk about the last few. Those initiatives were obviously focused on how IT team can transform its operations, serve the departments better, and provide more coordinated planning and implementation of systems. These last two (2) categories of initiatives are a bit more outward focused, so these around engagement are focused on how the County can better interact with your other stakeholders, so the public, residents, visitors, and businesses.

This first one is around a unified engagement portal. We spoke about this with the Council and with the Mayor, I know there is great support for that, then we had deeper conversations with the IT team and with Reiko's team, giving some examples of how this has played out in other cities and counties just thinking about having one (1) website, which essentially becomes a one-stop shop to direct folks for all the various ways that they might want to interact with the County, so just to make it easy for anyone who needs to interact with the County for services, requests, or questions, to be able to find that information easily. Similarly on the flip side for the County to be able to communicate with your residents, businesses, visitors, all the great things that you are doing, so you are able to publish announcements or have those key communications accessible in multiple channels for your residents.

The second one here is around scaling digital payments. Again, great work being done already as a partnership between IT and Finance to make sure that there are digital payment methods that are available to folks that need to pay for County services or interactions already, so there is a lot of good work already going on there. This one is focused on how to take it to the next level and be able to scale those digital payments across more departments. Obviously not removing the option of cash-based or check-based payments, but just making this more available and more consistently used. So encouraging your residents and citizens to be able to use these payment methods more that will help increase the response time and streamline some of your
County processes behind the scenes if you are able to expand those electronic transactions.

Finally, we did have one (1) initiative focused on reporting, so making sure that the IT team can help enable more transparency from the departments for reporting information that either county leaderships, you as the Council, or department leadership is asking for consistently, if you are able to define some of those consistent use cases or reports that you are looking for on a regular basis and be able to standardize that either through a system, a dashboard; it could take many forms, but essentially, starting to put guidelines and standardization around some of those reports will help you be able to get that information more quickly and help the departments to be able to provide it more consistently to anyone who wants to receive that information. That is it on the initiatives. We do have one more slide here, just to bring it all together and remind you that this is part of the bigger roadmap deliverable that we provided to Del, Reiko, and the team. Again, a lot of initiatives focused on different types of improvement areas. We do think that some of them go hand-in-hand. There are some dependencies where we would expect that some of them start a little bit earlier than others and you can build on that progress, so that is the high-level timeline that we have showed here. It is projected out for about two (2) years. We divided it up into quarters here, but these can start at any time. We recognized that there are larger budget discussions that are coming up, so as we went through this roadmap and the recommendations with Del, Reiko, and the team, our intent was that for that to be input to them as they are putting together their budget requests and obviously discussing with you and the other departments as you go through your budgeting process and your strategic planning process for this year. Our goal was just to give you a report that is helpful input to that planning process and arm you with all the details to be able to start these initiatives as you think is appropriate for the County. That is the high-level timeline there. You will see that we have started these initiatives as we went through them and some that we have started a pilot or essentially jumpstarting some of the recommendations with the IT team specifically, so we did focus on the enterprise architecture and the governance aspects. We did provide workshops, guidelines, and industry standard materials to the IT team for thinking about how to start implementing some of those initiative recommendations that were zero (0) costs, essentially, so more of the policy and reorganization along the team lines they were able to jumpstart that in the next couple of months. You have had a really great enthusiasm from the IT team; really great participation in those pilot initiatives. Again, I want to give a “shout out” to Del, Winston, Max, and the team for bringing a lot of folks along. Everyone was eager to learn, discuss, and think really critically about how to make good progress on some of these initiatives even before you move into the next budget and funding cycle. That is the snapshot of the report that we have for you today. Again, thank you for the opportunity to work with your team. It has been such a pleasure and I will echo everything that Reiko said at the beginning and I think other Councilmembers had recognized your County team has done such a fantastic job in pivoting and being ready to work remotely in this crazy new reality that we are all going through. Everyone has been so enthusiastic and has been great on collaborating with us remotely. We would have loved to be in-person with you for a lot of this, obviously in normal times, unfortunately we could not do that this year, but it has been really seamless and such a great process over the last six (6) months, so thank you.
Council Chair Kaneshiro: Thank you. Nikhil, would you be able to take off the screen share, please? With that, I will open it up for questions from Councilmembers. Council Vice Chair Chock.

Councilmember Chock: Thank you, Chair. Thank you for the presentation, very comprehensive. I have followed the work that you folks have been doing over the past few months and I appreciate it. I do not need to be sold on the need. It is very apparent that this is the right direction that we need to go. I have two (2) questions; the first is, have you folks looked at the intergovernmental integration with state agencies and maybe even at federal levels on how it is we are increasing our internal system and how we might be able to crossover for efficiency? That is my first question.

Ms. DuBois: That is a great question. Jeff, do you want to take that one.

Mr. Masumoto: Sure. Especially during our voice of the IT interviews that topic came up several times especially in areas like vehicle licensing and possibly also with the retirement system.

Councilmember Chock: Okay.

Mr. Masumoto: Just as a background, I worked for a data house where part of KPMG would do a lot work with other state agencies and we know from the state side the integration issues that they face when working with the city and county, as well. There is new possibilities presented in emerging technologies available, especially on the cloud and APIs, but it takes both sides to implement that. So those considerations were looked at.

Councilmember Chock: Okay. I do not know if I have a sense of confidence on our ability to do that, but I am glad that you folks are taking a look at it.

Mr. Masumoto: In terms of your confidence, I actually believe that you folks are well positioned to take advantage of any opportunities that could come up, but I do not have the same level of confidence in every, obviously each state agency has different capabilities. If the opportunity presented itself from the state that you folks could be in position, especially with the new ERP system.

Councilmember Chock: Thank you. My second question is, obviously you folks have an aggressive timeline scheduled here and I am appreciative. I will go back to what Reiko started off with, which is we do not need to accomplish it all right now, when it might be an absorbent amount of money—I did not hear a figure, but a budget plan is definitely something that I would like to tune into. I am just curious as to what that looks like. What is the plan on solidifying an ongoing funding stream in or to accomplish these?

Ms. Matsuyama: This is Reiko. I will jump in here. As it relates to the budget, we want to make sure that we, as in IT, have the capacity to
implement as well, so we are not going to come to you folks and ask for an abosorbenant amount of money that we will not be able to spend. Right now we are chipping away at certain things that we know we can confidently accomplish. We probably will not ask for the big chunks of money in the Fiscal 2022 budget, because we do not think that we can execute at this level and we do not want to fail. So that is it in a nutshell, but we will be communicating with you folks, maybe in phases as we look to implement certain things. The ERP system is one of the things that it is going to take a lot of money, it is going to take a lot of change with the County. It is going to take a lot of manpower. It is one of those things that touches almost every person in the County and those types of things take even more will to make forward progress. We purposely did not give you any kind of dollar amounts, but it is a significant cost that would be spread out over the next few years. With the ERS, it is going to take a long time, so we want to start it fairly soon so that we can do a complete overhaul within a reasonable time period.

Council Chair Kaneshiro: I just had a follow-up. I see that some have started, we are implementing some of them, do we actually have budget numbers or priority on any of these initiatives on the timeline as far as EA1 is our biggest priority, it does not cost any money, it is easier to implement that would be something that we could do now versus the ERP which is not on the timeline now, which is obviously going to cost a lot of money.

Mr. Loyal: We did work with the IT team to prioritize all of these initiatives and in terms of what is more important than the other one. We also wanted to balance that against some of the resource requirements that would be there for each of these initiatives. We have provided a rough order of magnitude estimate for all of these products and initiatives, which Reiko also mentioned that those are being defined internally. At the same time, it appears that there are a number of financials for which we did not require specific funding to get started, such as those around enterprise architecture, although there would be additional hiring required to be able to support that all, but in terms of establishing the framework, providing the right set of knowledge, articles around what enterprise architecture is, how it can be implemented, as well as some of the governance initiatives. That is what governance roles embodies would be required down the line, how will they be maintained in either a strategic forum or a traditional forum. We also started to help out with an example of one (1) department and one (1) project those being the Department of Parks & Recreation migration to a newer version. From a project management perspective within the County team as well as the IT Department champion role that we are recommending, how would that work? So we use that as an example to work with the IT team to demonstrate what that would look like in action. What does a day in the life look like? So we have started working on some of those already and the County IT team has started making significant progress along some of those, which are currently zero (0) budget related.

Council Chair Kaneshiro: Before we get into more questions, we have to take a caption break. We will take our 10-minute caption break now and then, I know we have Councilmember DeCosta, Councilmember Cowden, Councilmember Kuali'i, and Councilmember Carvalho, on the list for questions, so 10-minute caption break and we will be back.
There being no objections, the meeting recessed at 10:27 a.m.

The meeting was called back to order at 10:42 a.m., and proceeded as follows:

Council Chair Kaneshiro: Welcome back. We have a question from Councilmember DeCosta.

Councilmember DeCosta: Thank you. Hi, how are you folks? Are the other two (2) people on?

Council Chair Kaneshiro: They are all on, you can just ask.

Councilmember DeCosta: I have a couple of questions. First of all, I wanted to make a statement actually, I feel like a grade school kid in a high school trigonometry class today. A lot of information, very comprehensive, and I want to piggyback with Councilmember Chock. I know we need it. I am all about technology. We have learned a lot. As my primary job as a school teacher, we have to teach curriculum virtually, so we had to learn how to use Microsoft Teams meeting with the children in the classroom and it is a challenge, but technology is the way of the future. What worries me a little is, will this make us more cost-efficient as far as manpower in the office using this technology, would we need more people to monitor it? Will it take away jobs? That was one of my questions. I can ask my three (3) questions first and you folks can answer it in order. The second thing I wanted to ask you folks, if I am confused right now, I can imagine our constituents out there who may have to use this program to pay bills online or to do the technology part. The last one I wanted to make sure, would you folks offer tutorial videos for our constituents out there, so they can click on it and learn how to use it or would you provide all the training or is that another cost to the County that we may have to come up with training videos for people to learn how to use this. My last one would be, I asked this question with Reiko and Councilmember Carvalho, when we first had our one (1) Microsoft Teams meeting, when that payment is due, let us say you had a Real Property Tax payment or let us say you have a rental agreement that you are doing for your property tax to be lowered, because you are following the County Code under renting under Affordable Housing, would you folks send an alert, red button or red bar that lets the constituents know that they have to make this payment, because in person-to-person a lot of times people have it on their calendar, but if you are going to do everything online then people might miss that opportunity. I just wanted to know, how are we going to make this transition very easy for our community members? Thank you. I can repeat any question if you forgot any of the four (4).

Mr. Dahilig: Councilmember DeCosta, this is Mike Dahilig. I just wanted to thank the Council for the opportunity to have this discussion about the IT future. I think as you folks have seen what is going to be critical for us moving forward is that we actually have a comprehensive roadmap for our overall IT infrastructure across the whole County. This is not something that has been necessarily done before. We were thankful that the Council was willing to make the investment and be able to create this roadmap to be able to hold us accountable in taking care of things progressively and over time, so that we at least have those benchmarks and we are able to identify low-hanging fruit that we can start to create
momentum and build that snowball to be able to move towards a more digitized operational picture across all of our platforms. Our intent is not to replace jobs and I want to be clear on that first question, Councilmember. There is always going to be more work than is demanded of us as a government then we are able to provide—that is just going to always be the chronic tension between what we are expected to do as a government civil servants and government officials versus what the capabilities are. So there will always be a place for people within the County if they are still here with us, to be able to take part in this digital transformation. I think that is where first and foremost we want to be able to have the tools necessary to be able to ensure that the folks that are doing our critical work for us, are able to do so as the standards for operations change and as the expectations of the public adapt and change as well. One thing that is attention as you prescribed in that second question really relates to how we are handling and making sure we are not leaving anyone behind. We have experienced this before when we went through the E plan review transition about five (5) or six (6) years ago and there was a concerned effort for the Building Division to literally call in groups of many users and be able to come in and discuss how we...sorry, I just had an elf walk into my office and try to tell me something...literally try to move forward and bring people along. We had the super users, we had a lot of other users come through for the training process and we will do as much as we can to do that outreach as we make those transitions through that process. It is very clear that there are going to be people through the transition process that will have a harder time making those transitions. Like you are suggesting—we have offered training in the past, we have made transitions, when we make these big transitions to new platforms, programs, or interfaces with the public that is something that as a best practice that we will commit to follow when we actually go through that. I think, ultimately as we want to go through the process of resourcing, we will be coming to you folks through the budget discussions and talk about prioritization as to what we can chip off what is entailed and we expect that all the questions you are raising will naturally follow as the accountability factor in whether or not the Council wants to appropriate resources to a particular program. We welcome that feedback, we welcome that accountability, and I think this plan actually provides that template where the Council has a tool to also hold us accountable and say, “Hey, where are we on this transition? And are you folks making sure that you are balancing efficiency with maintaining a healthy workforce, whether or not you are doing the proper public outreach and the platforms are not confusing and that you folks are making sure no one is left behind with training and those types of thing.”

Councilmember DeCosta: Thank you, Mike.

Mr. Loyal: Thank you, Michael. I think you addressed the great part of the first two (2) questions that Councilmember DeCosta had. I would just like to compliment it by saying that a number of these initiatives that we have talked about, I think you should look them through the lens of efficiency rather than just cost efficiency. That is to say that all these initiatives will help various departments, divisions, other stakeholders within the County and outside of it, to be able to effectively use technology to further advance how the County operates today. So you can think of these as investments in terms of technologies that help various divisions and departments do their jobs a little better, rather more efficiently and ensuring that information is readily available when it is required and help
standardize some of the processes that you undertake currently; example, project management across various divisions and departments. Also, most importantly providing technology to various residents and visitors, so that they can effectively utilize and work with the County government. As an example, they should be able to go to a single portal to be able to raise any kind of request or raise any kind of incident, be able to track it in real time how progress is being made and all of that is recorded. You can use all of that information to further enhance how you provide those services, make decisions based on that accordingly, so that you are able to say, "Last year we saw that there were one thousand (1,000) requests which were denied in terms of making any reservations for the Department of Parks & Recreation. How can we better improve that? How can we make that more efficient—provide that information more readily to various other stakeholders within the County." I think a lot of that should be looked at from the lens of efficiency, both from the IT team standpoint as well as outside of the IT team. I just want to address your fourth question in terms of looking through any of these initiatives functionality of features like reminders for any kind of bill payment or any other payments, can be made. Councilmember, remember when we last spoke, I think it was in December, you had brought up the same question, which we think is a great feature to be added to the list. Now that you have gone through that process, we can confidently answer that through the initiatives that we have from an enterprise planning standpoint as well as citizen portal, as well as digitized payment standpoint—these are features and functionalities that can be added to the billing module within the app itself. That billing model has the capability to ensure that for various kinds of payments, scheduled reminders can be sent out to the parties who are responsible for making those payments. Now those payments can be for any kind of recurring payments that you have, such as for any kind of tax payments that either local businesses or the stakeholders have to make, or it could be for a one-time payments, which could be scheduled for when those payments are required. So it entirely depends on how the systems are designed—what features and functionalities that you want in those systems, but can easily be addressed with the billing module within any model that you would be looking at.

Councilmember DeCosta: Thank you for answering all four (4) of my questions. Thank you very much.

Council Chair Kaneshiro: Next up is Councilmember Kuali'i.

Councilmember Kuali'i: First, I want to say thank you for such a thorough and encouraging report or roadmap as it is. Thank you, Mike for your comments as well. I believe over time it will be a significant investment, but I also think it is a well worthwhile investment. I believe that efficiency is inevitable and I think that we are not necessarily the first to do this, so there are probably examples out there of how effective and how efficient moving in this direction can be. I especially appreciate that it will help us be more accountable. Not only us to the citizens, but perhaps based on how the citizens engage with us, the citizens with us, ensuring that accurate information is being shared both ways. I see it in general as improving the way we provide services and improving our services to the public. One of the things that excites me and it comes a little later in the timeline, is what you call unified citizen engagement portal. I am curious if you could share, maybe not
necessarily today, but as a follow-up, examples of how this might be working well with other municipal governments and some of the challenges that they have had, so that we do not necessarily make the same mistakes and do something different. The other point to, and Mike addressed it a little bit about not leaving anyone behind, is your principal of inclusive technology. So as we create this unified citizen engagement portal, how do we make sure that we are able to allow as much as our citizens as possible to have access?

Mr. Masumoto: Nikhil, before you go into the portal piece of it, just a note on inclusive technology. I believe the County as a government agency still has compliance with Americans with Disabilities Act (ADA) Section 508 for live view websites and we did not see any evidence of you being out of compliance in that regard. But the level above that is what we call inclusive technology or we call inclusive design and taking that step up of making sure it is not just compliant, but also has high contrast on your screens for kupuna to read or the text is tabable so that people with mobility issues can access it, like you said, “Big red buttons” and so forth—those are design considerations.

Mr. Loyal: Thank you, Jeff. Christine would you like to share our experiences of other public portals?

Ms. DuBois: Sure. I think it is a great question and we did put together a bit of case study in some examples of what has been happening in other large cities and counties that have moved towards this more unified portal. We gave some examples specifically for New York City to think about citizen engagement around some of their planning and business processes. Then Lafayette, Louisiana was another example that we gave that has a fully integrated portal and so we did provide some more information on that to Reiko, Del, and the team, and I am happy to share that with you.

Councilmember Kuali‘i: Thank you. Just to follow-up, when you were talking about the inclusive technology, so that is more about how the technology is actually on the hardware made available and going beyond ADA. I was thinking of the word inclusive as reaching everyone, because if we say, “You can do it online.” But the citizen in a remote area does not have a computer then they really cannot get online. So I guess it is just a matter of us making something available closer to them in some public area, whether it be a public library or what have you.

Mr. Loyal: Absolutely. We include that in the definition of inclusive technology. So if you were to take a case that would substantiate what that means as an action as. For example, for a variety of services that payments have to be made, those could be made either through checks, cash, or through online forms of payment as well. Of course there should be a push in the future to ensure there is more digitized forms of payments being utilized by various stakeholders. But we should not do that at the cost of completely shutting down other traditional forms of payment, just because a number of people within our world will be still utilizing those or do not have access to any form of digitized form of payment as well. In that case, inclusive means ensuring that all those channels of payments are still available to all
stakeholders, but with a clear push towards ensuring that more online payments are encouraged to meet the requirements of the future.

Councilmember Kuali‘i: Thank you.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: Mahalo, Christine, Nikhil, and Jeff. My understanding is this first Project Holomua 2020 is really just an analysis and a plan map, correct? Are you folks going to be who implements our enterprise architecture or are you going to help us identify a third-party or is it someone else?

Ms. DuBois: We started some work with Del, Reiko, and the team on sharing some recommendations for policies and ways to organize the team. We have done a few workshops specifically around enterprise architecture and governance to get that team started, but I guess I would punt that one to Del if you want to talk about future plans. I am actually implementing the enterprise architecture piece.

Councilmember Cowden: Let me just be clear in case I am not asking the wrong question. Do we have the software that we are basically looking at identified, where we have this holistic integrated system, do we know...is there a company that we have decided as our provider for that?

DEL SHERMAN, Information Technology Manager (via remote technology): I can probably handle that. This is Del, IT Manager for the County. Nice to see you all this morning. As far as identifying a specific vendor that will help us to implement for these kinds of solutions, no, we have not done that yet. Instead what we have created is a roadmap...

Councilmember Cowden: Okay.

Mr. Sherman: ...that will help us to make decisions in the future as to which vendor may be a good fit to help us with implementing these various technologies, but in order to reach that point, we would have to go through the regular procurement process in releasing, perhaps a request for proposal or some other avenue of procurement in order to identify those vendors.

Councilmember Cowden: Thank you.

Mr. Sherman: The one thing that we have done already using existing resources is move forward with creating a subcomponent to IT, which is basically an enterprise services team and we have used existing personnel to do that and we have redirected their focus from what their responsibilities were previously to being more focused on enterprise planning and thinking to the future in plotting out our course for getting us on the right track with having a well-coordinated approach to these various enterprise services.

Councilmember Cowden: Thank you.
Mr. Sherman: Does that answer your question in part?

Councilmember Cowden: Yes, it does. I just wanted to make sure for people who may be had less of an understanding in our viewership, that what is being presented to us, is a map of what we need not of what we are actually doing, so we are a little early to be thinking about the "red buttons." We are recognizing we need "red buttons," but you folks are not making these "red buttons." Not yet anyway. Christine, Nikhil, and Jeff, I want to give you a big compliment. I know the first meeting that we spend together, I talked to you for about two (2) hours. I really went in depth of what I wanted. I just want to acknowledge, I had given a really big wish list and you hit every single point. Thank you so much. I feel heard, so that is great. I made a few comments on different pages, so I want to bring them out for the sake of everyone. Like on this stakeholder page, we do not need to pull it up, but when we look at everyone equal, whether it is the other layers of government, local business, employees, and residents, that is essentially important. A problem that I see in our ability to be proactive and transparent is regular residents and businesses need information to help them navigate without the need for an educated staff or an attorney. Councilmembers need that too. I think if we achieve this roadmap it is going to help people like myself do a much better job and probably be a lot less work for staff. I like the single face of government. I think the capital.hawaii.gov with the state is a good example, because it is probably equally helpful to the different layers. On page 7, under investing and technical capabilities, the LIMS program, I want to focus on that for a moment because that and the payroll are my priorities. This might be a question for Reiko or Del, but the land information systems is something we desperately need. That helps us all look at what infrastructures are coming in, where developments are happening, hopefully that would map out where historic and culturally significant areas are. How far down our roadmap is that from where we are now—LIMS? Anyone who might be appropriate to answer that, I am sure it is in Administration not KPMG.

Mr. Sherman: This is Del, again. I can take that question in part and welcome others if they want to comment on this as well, but as far as our LIMS initiative, that is our Land Information Management System, it certainly fits into this roadmap that we developed through our Holomua 2020 Project. As far as how long it is going to take to fully implement LIMS, it is a pretty dynamic project, so it is always changing. Some of the goals and objectives are moving even as we speak, but I would say to have something comprehensive and functional that will address a number of the issues that we have identified, will probably be at least a year out before we reach some of those goals. To be clear, it will be an ever evolving product. It will be continually changing and be modified where to meet our present needs.

Councilmember Cowden: Okay, thank you. My next question is probably Reiko or Mike Dahilig. Two (2) years ago around this time, I pressed hard for us to fund the whole six million dollars ($6,000,000) that were asked for IT upgrades. I do not know if we have spent all that or if it got absorbed back into the budget or if some of that is left, because we had a lot of aggressive ideas including getting a roadmap, which really should be step one, so that we are holistic and integrated. Where are we at on that Reiko or Michael?
Mr. Dahilig: Councilmember, this is Mike. There are a number of items that, as you have mentioned a couple of years ago when we were high in a position to make investments in our IT infrastructure, we had asked for funding for the Land-Use Management Information System, the full implementation of that, as well as HRMS system. There was a debate at the time, as you have mentioned, whether or not we should also be developing a roadmap if we are going to go and make these large investments in these two areas and whether or not the roadmap needed to come first or whether we could do these things in parallel. The call at the time was to do things in parallel and at this point with HRMS we are very close to getting to a point of where we can announce moving forward through the procurement process and being done with the procurement process. Del and his team have also been working on LIMS, where they have been picking away at pieces of an overall LIMS system that will, once woven together, will constitute a more upgraded and digital platform for our users at the Planning Department, Department of Public Works, Department of Water, and the other departments to be able to now use. The work has been progressing, the work has been moving, as you know the Council did vote to reallocate some money that was committed a couple of months ago from LIMS over to HRMS just based off of the way of mapping the needs and the ultimate procurement part has shaken out, but that level of effort is still being maintained with respect to the amount of investment that is going into our IT infrastructure. So we have been pleased with Del and his team. They have “taken the bull by the horns.” They are a small shop, but they have been diligently been trying to pick away at this piece-by-piece and they are getting there.

Councilmember Cowden: Okay, thank you. I think this is going to pull our County forward substantially when we achieve this collective goal. We are kind of moving decades in technology, so especially with the paper time clock going into the HR, I think we are going to find that is going to make a big difference for our budget. I think the LIMS is going to make a big difference with our transparency and our ability to be proactive and help ordinary people be able to answer critical questions. The other piece that is a big deal to me, so thank you for putting it on the very last page, the very last item; is a dashboard. I want a dashboard. A dashboard, just like what you have on your car, you can look at it every day and we can get a quick look at the County health and the County project health and even where developments are going on. So I think, for everyone, whether they are a citizen and a business, it creates equality amongst the regular residents to just have a little bit of a fighting chance against the really rich, because we are rapidly losing our lands and our accesses and everything like that, because we do not have that kind of information. So I appreciate all of that. My priorities are LIMS and HR. Del, Winston, and Max, I want to thank you all, too; our team. I would say that is it for me for right now.

Council Chair Kaneshiro: Councilmember Carvalho.

Councilmember Carvalho: I just wanted to also say, mahalo to the Finance team and everyone. This in particular, having coming in now and reviewing it and seeing all the information, and I like what Mike mentioned, how this is a roadmap in place and in working order, if you will, but I wanted to just hone in on slide 5, I think that is an important one, the stakeholder needs, overall, from the
resident and visitor, the local business, the employees, federal, and state government, I think those are the four (4) areas that has jumped out for me. I just have a couple of questions on those four (4) areas. For instance, for the resident/visitor; we have talked global, but I wanted to ask a question specifically within this area and how we can enhance the support to our kapuna in that particular area—residents and visitors. You do not have to answer, but to me, that is a big one because I talk a lot to our kapuna and a lot of times they have difficulty transitioning. So how can we make it easier for them? The local business part of it, I think, I have a lot of questions or input from our farmers in general on how that technology can tie in. Employees, I know, prior to this could be as simple as this, but my point is, if it is done already, great, transitioning from the paper timesheet to online time sheet—I think that was a big one—just as an example internally. Then the federal government side, to me, the whole emergency response part and how we are honing in on that or enhancing that. At least in those four (4) areas and how far are we from targeting those areas? Sooner than later. Those are my questions.

Mr. Dahilig: Councilmember Carvalho, this is Mike again. As it relates to those four (4) constituencies, I think it is very clear that, as mentioned previously, there is a certain aptitude level that we do need to be cognizant of across the spectrum when it comes to peoples cover-level and peoples familiarity with technology. I like to joke about how my parents would buy iPhones, but then they would not know how to use them and they would constantly call me, even though they are on O'ahu, how do you do this or how do you do that? But after a while, the coaching and the patience has to be there, so in terms of support for kapuna, our residents, and our visitors, just having patience, I think, is a cultural expectation that we would have in any kind of roll out plan. It has to be sympathetic to the idea that not everyone has the same type of technological base level and that we need to walk people through, be welcoming about giving advice as well as be open about having the right staff and right interface with the public, to say, "We can help you." We see that a lot with how we have been doing a lot of the COVID-19 digital items. That is something that is not necessarily germane to this discussion, but I think it is indicative of just good customer service, in that when we have questions about how to find something online or how to apply for a quarantine exemption or these types of things, we just need to be there to be able to walk people through and be patient with that. It takes a lot of work, it takes a lot of investment, but over time people become familiar with it. When it comes to local business, what we have heard and as you have mentioned, people want to be a part things that will make their lives easier, so Reiko and her shop, as well as Del have been pushing digital transactions as a way to provide options for people that just want to take care of business and run. We always want to balance that with a good front door, making sure that people know that there is a human touch element for people that want that human touch element, so that is never going to go away, but in the meantime we are also hearing from local businesses that they just sometimes do not have time to run all the way down to Līhu'e and take care of things. So those are things that we are always going to be open to and listening to when we are trying to look at how can we be interfacing with the County easier and small local businesses are very important for that. When it comes to our employees...again, our employees have driven a lot of the initiative here, in terms of wanting to not have to waste time doing certain things. You are always going to have a certain segment of our employee based that do not want change and
that is ok, because things are done a certain way, but when we start looking at
whether we need to start doing things from an efficiency standpoint, it is also a duty
of us to constantly review our processes to ensure that we are doing things in the
most efficient manner so that we are not wasting taxpayer money. When we look at
things like online time sheets, that is where it is very important that we are not
spending time inputting and re-inputting things on paper, but that we are also
tracking things and making sure that we are best utilizing our scheduling, resources,
and our Human Resources in tandem appropriately to make sure that we are not
accruing unnecessary overtime or we are able to identify abuses that may be
happening because there may be too much overtime that is given. That is very
difficult right now, given our manual system, so that is where our employees come in,
but we are going to need their buy-in and their cooperation and that is where, again,
that patience in being able to work through the problems, work through the
perception items that change may be hard, and we are going to need to be able to do
that. Our Office of the County Attorney, when it comes to the federal government
has actually been very already adept to adjusting to what is kind of the standard in
the norm, let us say our federal court system. Right now in the federal court system,
everything is digital filing. Everything is digital interfaces. That also sets the pace
for us when we are moving forward and having to receive grants or interface with
reporting, and the folks that are working in those federal touch points are going to
have to also catch up in order for us to maintain a good standing with the federal
government and have them be confident in our ability to take federal resources and
be able to extend it in a matter that is responsible, accountable, and is in the public's
best interest. So we will continue to look at that in the emergency response, same
thing, all the COVID-19 items that are coming through is predominately digital
communication using their online reporting systems being able to ensure
accountability reporting. We are migrating in a realm where more and more, we are
going to be in habit of having digital aptitude as part of our overall wheelhouse. Just
for those four (4) constituents, Councilmember, those are what we are doing at this
point.

Councilmember Carvalho: I appreciate that. The point was to...there
were things already happening in place and now complimenting the bigger picture
that can really help enhance efforts out into the community and into the various
areas, so mahalo for that update. Thank you.

Council Chair Kaneshiro: Are there any further questions from the
Councilmembers. Councilmember DeCosta.

Councilmember DeCosta: I have one (1) question. I do not know if it is
a...I do not know if I have the ability right now to ask this question, but being this is
a very new service out there, how many other counties across the nation are digitizing
their process like how we want to and that company or those companies that we may
solicit, as a recommendation to use for their software, what is their criteria to put
their product out there that sells us as a selling point that we should use them,
because I know today in our college world there are a lot of students graduating in
writing program software and I am thinking that would we be better off...this is a
hypothetical question, would we be better off in the county, hiring one (1) or two (2)
program writers and program managers out of college than to go and buy a program
that is already in place that might cost us a lot more. I do not know. That might be something you want to look at. Maybe that is not the time to ask that question, but my lightbulb is always working. You do not have to answer that, because I do not even know if I can answer it, but I am throwing it out there.

Ms. DuBois: Sure, I think that is a good question. We can start and Del or others feel free to jump in. In terms of what other counties and cities are doing...so I cannot give you an exact number, but I think your County is very comparable to many others, both big and small, that we see across the country. KPMG is privileged to work with a lot of cities and counties and I think pre-pandemic, but more especially now in the midst of the pandemic, all of these efforts around digitizing forms; moving from paper to electronic, digitizing payments, improving the ways that you communicate with your residents and your businesses, everyone is going through that, because everyone was forced to go through it. So as we mentioned, the County was already taking some really good steps to invest in that and put the tools in place before the pandemic, so I think you are well on the road there and I think as we mentioned, you are ahead of the pack for a lot of the collaboration tools and communication things that you have already implemented. Hopefully that makes you feel a little bit better, that sort of everyone is in this. We did share some leading practices with Del, Reiko, and the team around some other cities and counties that have started to invest in some of the more citizen portal or electronic payments, things like that, to give you some leading practices and some examples of what is happening and what has worked well. In terms of your question about, how do you resource this and how do you think about these new technologies, I think our overall recommendation when we were thinking through these high-level initiatives with the IT team was, rather than trying to go the route of building something custom for the County, leverage as much as you can from existing products and platforms that are already out there in the market and we know are working pretty well for comparable governments. So that could mean products that are based on the Microsoft or the sales force platform. You could look at some of the bigger names that are more focused on, they provide the general infrastructure and platform to do a lot of things, then you can narrow down from there, what is most relevant to the County and sort of customize and configure what makes sense for you. We see that as a general trend in the industry, I will say, for a few reasons. It allows you to be able to focus a customization on what you actually need, it saves you time and money, both in the short-term and the long-term because you are able to leverage what has already been built and what we know is already working for other jurisdictions, rather than having to start something from scratch or higher developers specific to just one (1) particular solution. So that is kind of the general logic that we recommend and that we think works pretty well for other cities and counties. Does that help answer the question?

Councilmember DeCosta: It does, but you still told us you would save us money if we go into something that has already been used in other counties across the nation, but we still did not come up with a cost analysis if we would have our own IT hire as a person or as a group and what would be the cost benefit to the County to customize our own program versus something that is already out there that is working. Not to say that our project or that project is better off, but I am just looking at financial moneys, what are we talking about? In the millions of dollars to buy a
software package versus hiring two (2) people out of college who would be working on it for a couple of years and paying them salaries through the County having them manage it? I do not know. I am just looking at the most cost-effective way to save our County money, so we are not just putting money out there because something looks good or because someone was recommended, so we should buy this package. That is all. Thank you.

Mr. Masumoto: Just to add onto what Christine said, and I hope this addresses your question. In terms of a large software recommendation, say for example, you replace your UPC system, the actual cost of the package software is actually a smaller percentage of the total project cost then the implementation done by a consultant to install, implement, do the organizational change of management and so forth. Specifically to the develop software, that is actually not as big a percentage of the total cost of ownership compared to the actual implementation. When you look at the implementation and the consultants you bring in to do that or do it yourself if you want to do a lot of that work in-house, that is still available. In terms of implementation partner, this is self-serving disclosure data house is a Hawai'i based company, but you receive the tax dollars on the island or in the State.

Councilmember De Costa: Thank you.

Mr. Dahilig: Councilmember, this is Mike, again. I just want to add in one other statistic for the Councils entertainment. Typically, when you look nationwide, you typically have one (1) IT support person for every twenty-seven (27) employees in an organizations, one (1) to twenty-seven (27) or one (1) to thirty (30), and right now, Del and the shop have just a little over a dozen employees when our ratio at about one thousand two hundred (1,200) or one thousand three hundred (1,300) employee base should really necessitate forty-five (45) to fifty (50) IT employees. Del and his shop are literally working from an industry standards standpoint about a quarter of what normally be needed to support such a large employee base as our County. So they are doing a bang-up job, but as Reiko mentioned, there is only so much capacity that we have in-house to be able to do all the things that we want to do. So looking forward in terms of how we look at industry standards for resourcing that if we do have a plan, there will also have to be a discussion on the backend standpoint of how we are able to be successful in looking at our own internal resources to keep up the infrastructure necessary. Just like we would with roads folks, just like we would with our parks and those types of things that I am sure these budget discussions as they come up, just right around the corner, will kind of identify that, but I will not want to give an illusion that Del and his team are supermen, they are great heros in the County in terms of what they will do, but the capacity that they have really only has so much when we look at it from a comparative industry standard. So I would like to set that expectation here.

Councilmember De Costa: Thank you, Mike.

Council Chair Kaneshiro: Are there any further questions? If not, I will call this meeting back to order. Is there any final discussion from the Members? Councilmember Cowden.
There being no objections, the meeting was called back to order:

Councilmember Cowden: Thank you. I want to thank Councilmember DeCosta for asking some very good questions. We are a part of the National Association of Counties (NACo), so a big advantage of that, is that we are able to work with many other counties to see how they are handling things. This is your first term in office. When we go to these conferences, there are rows of software companies that have hundreds of engineers for years developing the type of software that might be there. So there are a lot of choices and when we look at someone with a roadmap like this, KPMG would be people who have some expertise and the skill set or the breath to be looking at similar sized counties. So I wondered, it does not sound like it is yet there, but if there is guidance towards existing software where we can adapt things into this. What I want to say then moving away from that is that, even though I realize this is hard for some of our long-term staff and I know our Treasury Department quit the same day we received our computer system in and that is why we were behind in the last CAFR—is that all of a sudden we did not have a Treasury Department. It is a big jump to make, but there is a new generation coming up and it is not so hard for them. What I would hope for and our IT Department is not necessarily young, but they are very dexterous and capable that this creates educational opportunities and career empowerment for our own staff. So when we are able...I like how this roadmap is super inclusive of our people and I like that we were just given the explanation that we are understaffed relative to IT, so maybe we can be bringing in people from Kaua‘i Community College (KCC) in or our own residents coming in to fill these positions, but I am very happy with the job that they did. It has been some time since I had worked in this industry, but this is what my technical training is in at one point, as a software engineer/electrical engineer, and in having run my own businesses and done the IT part of it, it is not a simple task. What I am hearing in the roadmap all resonates with me, as best I can tell a right direction. So the next real big piece is, what do we take our Granicus is really good. We have some things that are really excellent on our existing kauai.gov website. We have some really great things and how do we fold that in with the rest and I think it is very important as we are moving forward in the world and I want to just end my statement with both a thank you to Jeff, Nikhil, and Christine and also to our own IT Department for doing an amazing job of getting us through this COVID-19 window where we are doing everything remote and I get that has been both a distraction and an opportunity to show how important these changes are. Good job everyone. Good job Finance Department. I am very pleased with the product that we are getting and if there are ways that are appropriate to continue to work with your organization, KPMG, I am supportive with that idea.

Council Chair Kaneshiro: Councilmember Evslin.

Councilmember Evslin: Thank you, Chair Kaneshiro. First off, thank you, Christine, Jeff, Nikhil, Del, and the other half dozen people or so from your folks company that were in our initial meetings. I have to admit that when I first went into our initial meeting with you folks, around six (6) to eight (8) months ago, I was not super excited. I thought, “Oh, here is another consultant who is going to give us some cookie-cutter solution to some problem.” I was just blown away by how you folks ran the meeting, by how you were starting from the ground up and trying to really
dive deep into what our needs were as a county all-around and I was really impressed with the works that you folks did and I am impressed so far with your output here. I think looking at this from a holistic perspective instead of trying to solve these narrow things that often mend up maybe creating other issues. Just to highlight a few things, I think that we have talked about, I think the efficiency component here is really critical. As we all have experienced in the County, often we have really good policy ideas end up dying an early death because we do not have the manpower capacity to implement them. Every single time a department is really overstressed or overburdened and it is hard to add to that, so I think anything we can do through technology or efficiency or other measures that can free up manpower really helps all of us to a better job of serving the public. Just as a quick example, we used to get a lot of E-mails about abandoned cars. If an E-mail comes to me as a Councilmember, I forward that E-mail to our Deputy County Clerk, who then forwards the E-mail to file a report with Kaua‘i Police Department (KPD), KPD gets back to the Deputy County Clerk, who then gets back to me, and I get back to the person—it is this whole convoluted system that takes up a lot of effort and now KPD has this great online portal where you can just go, it takes you two (2) minutes to report a car, better service for the person reporting, better service and easier for KPD, it takes us out of the loop, and saves everyone time. I think those types of things, this is a keen example, but when you compound it really makes a big difference. Just to highlight also the equity component that was brought up by Councilmember Kuali‘i first and Mike Dahilig spoke about it and Councilmember Carvalho is also really critical. Sorry, just one more quick story. Our neighbors were trying to sign-up for the vaccine distribution, recently, through Hawai‘i Pacific Health, and they did not have access to internet. My wife works in IT at the hospital, so we thought, great we will sign you up. The hospital has this great online sign up form, but you need an E-mail address in order to make a reservation. So there was no way to sign them up and we did not want to put our own E-mail address for Health Insurance Portability and Accountability Act (HIPAA) reasons and there is no way around it, so they could not get signed up. My wife, because she is in IT was able to figure out a backend solution there. But I think this has been, obviously, a nationwide problem with vaccine distributions and those with access with technology and have the time to figure out smart phones and these sign-ups have been able to get early access to vaccines often and those without are left behind. I think obviously, this is a massive problem with no easy answers as we try to transition to better technology. It is important to keep for most in mind here that we are not leaving people behind in this transition. Just lastly to close us off, Christine in the beginning mentioned that she seemed happy to hear that we were so excited to hear about our audit. That we had such a good conversation about it, but I think what really gets my blood pumping here is data management, data base stuff, and how to correct and report on data and I am so happy to see this as such an integral component of the work that you folks are doing here is helping the County set up the systems and processes to compile in and present data and hopefully open data platform models. Last thing that the one-stop customer portal is super exciting. I think often people’s big frustration with government is that they call about a problem and they get bounced around between a bunch of different departments and no one knows division so-and-so or whatever their problem is, they do not know how to find the correct answer. Whereas, at business, you call a business with the problem and they end up solving it for you. So the one-stop customer portal is so critical and I am excited to see us moving forward. All that said, lastly,
Christine, you mentioned the case studies that you had presented to IT would be great if we could see those and I am really excited about the work that you folks are doing. Thanks to you folks at IT, Del, and everyone else for the collaboration.

Council Chair Kaneshiro: Is there anyone else?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to receive C 2021-37 for the record was then put, and unanimously carried.

Council Chair Kaneshiro: The motion is carried. Next item.

C 2021-38 Communication (01/20/2021) from the Acting County Engineer, requesting Council approval to receive and expend an additional $20,000.00 of State funds, from the State of Hawai‘i Department of Health (DOH), and to indemnify the State DOH for the Fiscal Year 2021 grant cycle for the HI-5 Deposit Beverage Container Program, which will cover salary increases for program staff associated with the Unit 13 bargaining agreement, as well as increased County fringe benefits costs.

Councilmember Carvalho moved to approve C 2021-38, seconded by Councilmember Kuali‘i.

Council Chair Kaneshiro: Are there any questions from the Members?

Councilmember Cowden: I have a very simple one. Just so I understand.

Council Chair Kaneshiro: I will suspend the rules. Councilmember Cowden.

Councilmember Cowden: We are just basically moving...this is just a transfer of money, right? From our HI-5 moneys to offset our Unit 13, which is professional, is that right?

There being no objections, the rules were suspended.

Ms. Fraley: Can I answer. Hi, this is Allison in the Solid Waste Division. Aloha.

Councilmember Cowden: Hi.

Ms. Fraley: All this is an addition of funds to an existing grant for the program that will cover two (2) staff that are paid by the State and because there was a salary increase for those staff, the State is adding funds to pay those salary increases, as well as to cover the County’s fringe benefits, which were a little bit higher this year. We can never tell at the beginning of the fiscal year what the fringe is going to be, we find out after. So this is just covering all the costs of the staff.
Councilmember Cowden: Thank you. I appreciate the creativity and dexterity to find a little bit of extra money. Thank you.

Council Chair Kaneshiro: Are there any further questions from the Members? If not, I will call the meeting back to order. Is there any final discussion on this item?

There being no objections, the meeting was called back to order, and proceeded as follows:

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to approve C 2021-38 was then put, and unanimously carried.

Council Chair Kaneshiro: The motion is carried. Next item.

CLAIM:

C 2021-39 Communication (01/19/2021) from the County Clerk, transmitting a claim filed against the County of Kaua‘i by Guiller Ruiz, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua‘i.

Councilmember Kuali‘i moved to refer C 2021-39 to the Office of the County Attorney for disposition and/or report back to the Council, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: Are there any questions from the Members? Is there any discussion?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to refer C 2021-39 to the Office of the County Attorney for disposition and/or report back to the Council was then put, and unanimously carried.

Council Chair Kaneshiro: The motion is carried. Next item.

COMMITTEE REPORT:

PUBLIC WORKS & VETERANS SERVICES COMMITTEE:

A report (No. CR-PWVS 2021-02) submitted by the Public Works & Veterans Services Committee, recommending that the following be Approved as Amended on second and final reading:
"Bill No. 2816 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 15, ARTICLE 1, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO FLOODPLAIN MANAGEMENT,"

Councilmember Kuali‘i moved for approval of the report, seconded by Councilmember Carvalho.

Council Chair Kaneshiro: Are there any questions or discussion from the Members on this item?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion for approval of the report was then put, and unanimously carried.

Council Chair Kaneshiro: The motion is carried. Next item.

Bill No. 1993, Draft 1 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 9, KAUA'I COUNTY CODE 1987, RELATING TO PUBLIC ACCESS-WAYS

Council Chair Kaneshiro: We took public testimony earlier today and we did receive some written testimony on this item. I believe Councilmembers have questions. I will suspend the rules. Council Vice Chair Chock.

Councilmember Chock: Thank you, Chair. Is the Planning Director here as well? I know there was some last minute testimony that came in and I wanted to make sure that the community had some background on its origin and the reason for receiving this today. I want to thank Councilmember Kuali‘i and Councilmember Cowden, I know they were looking into this as well, so I just wanted to be able to provide that explanation. Thank you, Chair. Ka‘aina, can you give us a little bit of background on this?

There being no objections, the rules were suspended.

KA'AINA S. HULL, Planning Director (via remote technology): Yes. Thank you, Chair, Vice Chair, and Members of the Council. Ka‘aina Hull, on behalf of the Planning Department. What is before you folks is one (1) of several bills that Council Services and our staff found to have somewhat just languished and fallen by the wayside years ago. This is one (1) of three (3) or four (4) of those bills that had just fallen wayside. This was introduced back in 2001 with no action by the Commission. So just as a housekeeping measure, we were sending the bills back to you folks just to receive them, just to put them to bed. Now, that is not to say that some of these bills, this one included, do not have merit to them, but because this was introduced
by a Councilmember that is no longer on the Council and able to have those discussions with the Planning Commission and other Councilmembers, it was appropriate to receive this, but if there is a Councilmember or Councilmembers that still would like to reintroduce the bill and begin the process anew, the Department is open to that.

Councilmember Chock: Kaʻäina, it seems like this Bill might have some merit; however, it is my understanding that a particular measure or the intent of this Bill is outlined in other sections of our County Code and I am just curious if you can expand on that, because one of the reasons for receiving this is because of its redundancy, is that correct or no?

Mr. Hull: Thank you, Vice Chair. It is redundant in that it is already required under the Subdivision Ordinance as-is, that public access could be created during the process of subdivision, even during the use permits or Special Management Areas (SMA) use permits. There are also Public Access Shoreline Hawaiʻi (PASH) and State laws that allow for access to sites that families or practitioners have accessed in the past. I will say the draft bill that you folks have further goes into more specific details in pulling out historical sites and cultural sites for access; it does highlight them further—the Department has no objections to that. I think it could have some merit if reintroduced at a certain scale. I can say that public access and cultural practitioners or more particularly, historic preservation are not necessarily one in the same, so the Department does have some concerns where by the draft bill, if reintroduced, requires the Planning Commission to create public access to a historical site, say through the subdivision process because a historical site is really just in the State of Hawaiʻi, it is any nonresidential structure that is fifty (50) years old. So does that mean then, every application should now have public access to these structures that are over fifty (50) years old. Then even like the State Historic Preservation Program, which is modeled after the National Historic Preservation Program, as far as the registry is concerned, to be on the State or National Historic registry, those are primarily concerned with preservation purposes. Just because a property owner avails himself or herself to be able to be on the national registry for historic preservation purposes does not mean that property owner is going on to avail the public to be able to access their historic house. If you live in a historic home for preservation purposes, you might want to put in their registry, but it does not mean you want to avail your lānai to every single member of the public that wants to access it. That is why I say the requirement of “shall” is a bit concerning, should Councilmembers want to reintroduce it, but overall there is some merit to the proposal though.

Councilmember Chock: To confirm, the proper means for moving this measure forward would be a reintroduction or a new bill by any one of our Councilmembers, correct?
Mr. Hull: Correct.

Councilmember Chock: Thank you.

Council Chair Kaneshiro: Councilmember Cowden, then Councilmember Kuali‘i.

Councilmember Cowden: I have asked our Deputy County Clerk if he could put up a document for me for a moment. It is a comparison of Bill No. 1993, Draft 1 with our existing Code, which is Section 9-2.9(e), public accessways for any subdivision. I want to acknowledge our excellent staff, Codie, who helped us to understand why Bill No. 1993, Draft 1 basically did not move forward because Bill No. 1996 created this. We have the two (2) compared, so in Bill No. 1993 the top one, I have highlighted and underlined “shall” and in the bottom one Section 9-2.9(e), I have bold and underlined the word “may.” Is Matt Bracken on for a moment? By the way, I am not trying to change it, but Matt, do you want to define the difference between “may” and “shall”?

MATTHEW M. BRACKEN, County Attorney (via remote technology):
Generally, one creates a requirement, while the other one provides the ability to do something, but not the requirement to do something.

Councilmember Cowden: Right, so we just had the example of maybe a lānai is not going to be open to everyone, it might also be that a grandparent’s grave is not open to everyone. On this same paper that I have handed out, it says, “The Planning Commission may also require public access to and the preservation of all significant historic and archaeological sites known or discovered on the parcel to be subdivided, as determined by the...” and this I underlined and made larger, “...the Planning Commission after seeking...” I saw this, and was like, “Okay, we do not need Bill No. 1993, because the existing Code basically gets it,” but when I first saw Bill No. 1993, I thought we will need that so badly. Why do we not have it? Well, we do. The problem is we do not observe it. So this little pile of papers right here, that I am showing, this is just since December when we saw Bill No. 1993, this all happens to be Kōloa outreach to all of us, by the way, about the Kōloa field system and there is a sewer line going in. It took me a little while to find that information that was approved in 2009 that is in this pile. It was given to me by one (1) of the speakers this morning, so that happened in 2009, Katherine Kealoha had signed that as the right piece. We saw two (2) women testify this morning. Part of my seeking, because that is what I really want to start to ask, is what does it mean to seek, because to me, seeking is reading, responding, and then I went and looked. I went on an approximately 4½-hour field trip with them. I did four (4) field trips to Kōloa since I received this. I am going to ask Matt, what does it mean, “the Planning Commission after seeking,” what does “seeking” mean?
Mr. Bracken: Can you please tell me which Ordinance you are looking at?

Councilmember Cowden: Kaua‘i County Code 1987, as amended, Section 9-2.9(e). When we “seek,” what does the word “seek” mean?

Council Chair Kaneshiro: Matt, would it help if we put it back up on the screen?

Councilmember Cowden: Yes, I will put it back up on the screen.

Mr. Bracken: Yes, that would be good.

Councilmember Cowden: This is just Kōloa, but there has been Kilauea, Polihale, Kauapea, and Lepeuli that were raised since we noticed this Bill No. 1993 in December—that many has raised an issue. See where it says, “As determined by the Planning Commission after seeking and receiving input from affected agencies, and community and cultural groups.” I am saying, we do not do that. I would give us a “D.” That is in my view—this does not happen and I want to talk about why it does not.

Mr. Bracken: When the subdivision process begins, the Planning Department will actually send letters out to sister agencies, whether they are in the State or the County, asking for input on the potential development and those documents are then forwarded to the Planning Commission. So this “seeking” that you are referring to is when the department actually sends out those letters to other agencies. In any situation it could be community members as well.

Councilmember Cowden: When we have a Planning Commission, how are they trained? That was probably for Ka‘āina, how do you train the Planning Commissioners what their responsibility is to seek this information?

Mr. Hull: Thank you, Councilmember Cowden. As far as an orientation of Planning Commissioners, they can take several hours when they first get appointed, but I can say that our Commissioners are also given training and recently have been given training, in fact, on the Ka Pa‘akai O Ka‘āina v. Land Use Commission analysis and the necessity of the reviewing agency or body to proactively seek out cultural practitioner input on discretionary permits. So the department does also require that during the application process that the applicant also participate in a Ka Pa‘akai O Ka‘āina v. Land Use Commission analysis that shows...they have to go further than just say, not sending out letters to cultural practitioners, they have to proactively engage cultural practitioners to see if there are any issues, concerns, or sites that may need to be mitigated or addressed.
Councilmember Cowden: The third person who did not quite make it, who was online, but somehow did not speak up, Roslyn, very strong cultural practitioner, seven (7) children, maybe somehow that is why she did not make it to turn her phone on. All three (3) of those, there were others that I thought were going to come in from these other places, all three (3) of them have felt really unresponded to and we walked the properties there where the first one lives, demonstrated...we saw where grave areas were crushed. There is really profound impacts. There was no reach out to them. I think what happens, is that a citizen has to know to look on the County website and has to know how to look it up. I will ask you, Planning Director Hull, right now are the Planning Commission meetings televised in the way the Council Meetings are?

Mr. Hull: No they are not. We do not have Granicus at this time. Unlike the Council, we do actually publish the notice and allow any member of the public to call in and testify during any Planning Commission meeting, as well as to sit in and watch and listen in to the meeting in its entirety.

Councilmember Cowden: I listened in to yesterday's meeting in its entirety. I live right around the corner of it, I am part of a very active group that is concerned that...this is the Charles Summers property in Kilauea about a grading and grubbing in a very historically and archeologically significant place. It takes attorneys to ask me to ask staff, how to be able to see this. There are no live links on the website. If I, as a sitting Councilmember who is very interested in this topic, must have a lot of assistance and attorneys who are representing people who are being impacted by this property that is represented by the last County Attorney and prior to that, the attorney who wrote the Comprehensive Zoning Ordinance (CZO) is who has helped him to isolate the community out of those parcels. It is not even a revolving door—it is a one-way door—where we have our key County Attorneys start helping these extremely wealthy people, either as their attorneys or they become the directors of these development companies and it is near impossible for regular residents to navigate it.

Mr. Dahilig: Council Chair, this is Mike Dahilig. I am a little confused on the topic of discussion and whether or not we are being asked a question concerning operations of the Planning Commission...

Councilmember Cowden: I will clarify it.

Mr. Dahilig: ...versus being asked to answer items that are on the table regarding interpretation of law and a bill. We are more than happy to have discussions concerning operations of the Planning Commission if that is something that the Planning Committee Chair or the Council would like to talk about, but my understanding is that the agenda item as posted under Hawai'i Revised
Statutes Chapter 92, which is the exact statute that we are being called to task to abide by, is starting to deviate on the topic regarding what exactly is the bill that has been posted up through the Council agenda.

Council Chair Kaneshiro: I think if Councilmember Cowden can sum it up, I think her question relates to the public being able to have input on certain Planning Commission items and maybe you can try to answer.

Mr. Dahilig: Right.

Councilmember Cowden: It is deeper than that.

Mr. Dahilig: Council Chair. I would also like the opportunity to respond concerning our duties under the Hawai‘i State Constitution, HRS Chapter 6E, and in court cases like Hui Malama I Na Kupuna O Hawai‘i Nei v. Wal-Mart (2009) and Kalekini v. Yoshioka (2012), if that is what the Council would like us to go through in terms of the litany of case law and constitutional obligations as to what “seeking” entails as part of the overall permitting process, so I can go through that to be able to explain what our constitutional duties are for clarification.

Council Chair Kaneshiro: Councilmember Cowden, would you like to hear that or do you want to try and sum up your questions?

Councilmember Cowden: I can sum up my question, but if you are going to share with me something I have no idea about, please go ahead.

Mr. Dahilig: Sure. You have hinged a lot of this discussion regarding “seeking.” When you are looking at Kaua‘i County Code Chapter 9, Section 2.9, Subsection (e), that you have been placing up on the board. We are required, as Matt has mentioned, under the Hawai‘i State Constitution, to preserve historic properties or protect historic properties and that has been found in cases like Hui Malama I Na Kupuna O Hawai‘i v. Wal-Mart in 2009, as well as further when they are dealing with the rail project in the Kaleikini v. Yoshioka in 2012, so if you want to take a look at HRS Section 6E-8 and Section 6E-42 and 43, there are processes that are set forth in the historic preservation statute as to what all State and County governmental agencies are required to do in terms of seeking information as to historic properties before it conducts any action that may be official governmental business. So I will refer you to those two (2) court cases as well as sections under the Hawai‘i Revised Statutes that specifically spell out what are our obligations. If you look at KCC Section 9-2.9(e), it is essentially a codification of what is the constitutional and statutory standards as it relates to historic preservation and consultation. Specifically when you are looking at the statute, it says, “Before any agency or officer of the State or its political subdivisions approves any project involving a permit, license, certificate, land use change, subdivision owner, in other
entitlement for use, which may affect historic property, aviation artifacts, or a burial site the agency or officer shall advise the department...” and this is the Department of Land and Natural Resources, “...and prior to any approval allow the Department an opportunity for review and comment on the effect of the proposed project on historic properties, aviation artifacts, or burial sites consistent with Section 6E-43 including those lands that are listed in the Hawai'i register of historic places.” So there is already a codified process for us to go through State of Hawai'i Planning & Development Agency (SHPDA) as well as the public notice under HRS Chapter 92, as well as whatever is laid out in each of the county ordinances related to public notification. I want to make it very clear that there is already requirements that have been established in our State laws, in our State Constitution, in case law by the Supreme Court, in case law by the Intermediate Court of Appeals, as well as our own County Code that lays out what is the process for engagement and if there needs to be a change in how that is done, we are more than happy to have that discussion about whether additional legislation should be proposed either at the State level or at the County level, but this is a Constitutional standard that essentially is set forth under many case laws that have been litigated on these items.

Councilmember Cowden: Thank you so much for bringing that up. With these people who are very concerned, we stood there at the signs, saying that it is a ten thousand dollar ($10,000) fine if they were to walk into the areas and it gave the State Historic Preservation Divisions (SHPD) phone number, so we called that and there is just a recording. It happens that the Burial Council goes to the very same recording. There are three (3) points that were called, there were no return calls, and it was the same voice who happens to also be the Land Manager for those big land owners in that Kōloa area. So there really is a serious challenge when we have one to two degrees of separation between familiarity including between the attorneys and key department heads here that should be a check and balance. I am going to be asking for an audit of Boards and Commissions and the Planning Department, because it is too profound how we do not take the spirit of the law, which is intended to help people be able to hold on to their cultural access to the land and to the pathways. The spirit of the law is subjecated by former County Attorneys or people within our County legal system, supporting these people who have so much wealth that there is nothing even close to this...and yesterday, I listened to the Planning Commission meeting specifically for this. Mauna Kea Trask was the attorney and it was probably less than one (1) minute, and I have been paying attention. That was one (1) hour for a whole month for the Planning Commission. I would say the Planning Commission is as important as the Council or just about, unpaid by the way, but I think we have a real problem. I think we need to be moving with transparency and I think that people are afraid. There were three (3) other elements that were going to testify this morning. They are afraid because they are still held in check by these last County Attorneys that do not have the money to fight it. So we have a problem and I want to fix it. Thank you.
Council Chair Kaneshiro: Do we have any questions on this Bill? Councilmember Kuali‘i, did you have a question?

Councilmember Kuali‘i: Not a question.

Council Chair Kaneshiro: Okay. Are there any other questions from the Members? If not, I will call this meeting back to order. Is there any final discussion? Councilmember Kuali‘i.

There being no objections, the meeting was called back to order, and proceeded as follows:

Councilmember Kuali‘i: I just wanted to go back to the simple process of it all and I wanted to thank our staff Codie who did a thorough analysis for both Councilmember Cowden and I, and found the details of Bill No. 1968, which came before the Council at the same time this Bill No. 1993, Draft 1 was before the Council back in 2001—quite a while ago. The other Bill No. 1968 was the Bill that passed and that became Ordinance No. 777 and that became codified into the Code, Section 9-2.9(e) that they were talking about, so it did address that specific language. In fact, the receipt of this Bill No. 1993, Draft 1 is appropriate at this time and if there is any other improvements to the Kaua‘i County Code 1987, as amended, it should be sought, then it would require a new proposal of a new bill. I do not think at this time, Councilmember Cowden and I feel that is necessary, because the wording is there and then as Councilmembers are talking about is applying what is already there. So I wanted to thank Codie for her thorough analysis to get us to this point of receipt. I also want to thank the testifier Hope Kallai who gave such a thorough testimony this morning where she included the state law and HRS Chapter 6E-8 and -42, and the six (6) review steps that are there, which involve historical properties and SHPD and the requirements of the County having to follow State requirements to make sure that you are finding out about in potential problems and making sure that there are mitigations included. We just need to make sure that we are doing what needs to be done and following the State law, but as far as receiving this Bill, I think it is a simple matter.

Council Chair Kaneshiro: Council Vice Chair Chock.

Councilmember Chock: Thank you, Chair. Just out of the spirit of discussion on this since I am in agreement about receiving this, I think this is not the right route to move something forward. Based on the Planning Director’s comments, I am a little interested in an improvement aspect of it. I understand there are a couple of aspects; one that you folks are addressing or Councilmember Cowden is addressing in the action piece of inclusiveness, but the Planning Director also said that some of the language indicated in the existing Bill that we are looking at may be useful moving forward, is that what you folks, the two (2) of you, would entertain?
Councilmember Kuali‘i: I just think that potentially, and maybe Planning will have to clarify this, the biggest issue obviously, when you hear the “shall” and “may” and if you look back to the bills that were considered in 2001, Bill No. 1968 was passed and became Ordinance No. 777, that was the one that had “may” and that became part of the law, and Bill No. 1993 did not pass. So if it was a matter of trying to do the “shall” again, then we are going to have to work it out with the County Attorney, work it out with Planning, and I do not think Ka‘āina said that the requirement of “shall” is concerning, so if it is that, I do not know what the point might be. But I do not know what he might have meant by a little tweaking, it might just be housekeeping type of things, because he did also mention the concern about the State defining historical sites as structures that are fifty (50) years or older and obviously that is not what we are talking about, we are talking about ancient Hawaiian cultural sites that need to be protected.

Councilmember Chock: I think that is what I heard from him on the details, not the “shall” or “may.” Okay, well, we can look at it further. Thank you.

Councilmember Kuali‘i: Of course having all the PASH, access, State laws that already exist.

Council Chair Kaneshiro: Is there any final discussion? Councilmember Cowden.

Councilmember Cowden: In the spirit of discussion, some of it is not even ancient. It might be great-grandpa, right, it is actually not that ancient. When I see the passion of these young mothers, and by the way everyone matters, but when I see someone who is so deeply busy and including with all the remote learning and everything else, how near impossible it is to be able to standup against these issues and the only way that they know that it happens is because of the heavy equipment driving over the burial site that prior to that had been quiet. Then them discovering that it is going to be the pool site of a new building. It is just what we have is inadequate in the way it is implemented and when I am talking to attorneys who are calling me to help understand what is on the Planning Commission meeting, they should be able to figure this out. What I am seeing is that it is so removed from the intention of how this is framed that our next generation—there will be nothing left for them and that the Hawaiian culture—I respect all of our cultures, but the Hawaiian culture is very special and unique to this community, as is the language. So everything from being able to access the beaches or be able to go...you practically have to have a law degree to navigate the public outreach process and I want to see that change. That is what the LIMS system, where I feel it is important. It would not have taken so much effort to find out that this...I do not really have a problem with the sewer line, but we went up and I talked to the folks who are building it and they did not know it was right next to a wildlife preserve for the blind spiders, they
did not know it was right next to these graves, there is nothing there where they even
know that they are on top of a historic place, and that is what the first testifier this
morning said, “These people have just gotten a ten thousand dollar ($10,000) fine for
grading and grubbing.” What we are seeing with a lot of these patterns is that it is
easier to say you are sorry, beg for forgiveness, and get fined, than to go through the
process of actually following the rules and protecting things. So we have a chronic
problem that needs correction and this is going to open that up. Bill No. 1993, I have
no problem receiving it, but we need to look at what we are going to do working
forward to have a higher integrity system.

Council Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: Thank you, Council Chair Kaneshiro. I am
very impressed with Codie getting to do all the work and especially Councilmember
Kuali‘i and Councilmember Cowden for diving into that. Impressed with our
testifiers even if there were just three (3) and I know them in our community. I think
sometimes we think we only have three (3) testifiers, but actually they are testifying
for a lot of people who do not have the time to testify. I am not a native Hawaiian,
although I did marry a native Hawaiian and I feel I can perpetuate my three (3) boys
to have the same cultural rights as every indigenous person across the nation. I think
language protects people's actions. Our Planning Commission is chosen and they all
come with their own background, characteristics, and personal feelings, so I think
having the correct language holds everyone accountable. I think there is a big
discrepancy between the words “shall” and “may.” If I would use that in my classroom
and tell all the children that they “shall” have recess or I would use the term they
“may” have recess. That means at the “may” I make the decision, at the “shall”
everyone goes to recess. I am excited to assist or work to make sure language is in
place that protects our indigenous people. Thank you.

Council Chair Kaneshiro: Councilmember Carvalho.

Councilmember Carvalho: I agree that cultural sites are very important.
I am Native Hawaiian, so I understand the importance and the emotional side of this
whole discussion, but at the same time we need to make sure, from my
understanding, if anything is going to be changed we need to do it again, a whole new
bill, everything, right? That is my understanding. So what is on the table right now
is as-is and we look forward to more heavy discussion. I, too, had people calling in
and asking the same questions on how this particular...although three (3) testifiers,
like Councilmember DeCosta said there are many more who are very concerned and
I think now is the time, we have it on the table, we are talking about it, but the
Planning Commission and their responsibility and kuleana, I think it is important
that we look at it and see if there needs to be any kind of change and how it happens,
but making sure that the cultural side is accessible and open to the people. That, to
me, is a big part, especially to these young ladies who provided the testimony and I
have talked to a couple of them, too. Anyway, I just wanted to put that on the table as well.

Council Chair Kaneshiro: Councilmember Evslin.

Councilmember Evslin: Thank you, Chair. I appreciate the dialogue going on here, the work that was done by Councilmember Kuali'i and Councilmember Cowden, and Codie for her research. My few years that I spent on the Open Space Commission, it felt like so often everything that was coming through our agenda felt like mistakes that were made thirty (30) years ago through subdivision agreements that maybe were not upheld and accesses lost and there was so much recognition, I felt like at every Open Space meeting about not making the same mistakes that we have made in the past and I know that the County has made every effort to try and learn from the past and patch these systems up, but I agree that it takes continued vigilance and I want to be sure that twenty (20) years from now, we are not looking back at lost access or lost cultural resources that occurred during our watch here, so I do agree that continued vigilance is necessary and if that requires more work on our end, then certainly I support that. I want to clarify, one (1) of the testifiers in the beginning made a claim or a statement that my parents were selling land with a kuleana lot on it—that is not true. There is no kuleana lot on my parents' property and I just actually looked at the title report again just to double check, so I am not sure what she was referencing, but I want to clarify for the record, that it is not true. Anyway, thank you all again for the discussion today.

Council Chair Kaneshiro: Anyone else? For me, I just want to say, it is appropriate to be receiving this Bill No. 1993, Draft 1. It is from 2001, language has been updated to pretty much encompass the generality of Bill No. 1993, there is a discrepancy between “shall” and “may,” but I understand why you would use the word “may” versus “shall.” “Shall” does not account for every single situation that comes up, “may” gives people the ability to have some leeway on what is historic, what is not historic, what people may want access to, some may not even care if they have access to an old house that is owned by someone who has been in their family forever. The public may not even care if they want access, so that “shall” and “may” I think is important. But again, it does not prevent anyone from coming up with a new bill in 2021 that updates any of the language that has already been incorporated. Council Vice Chair Chock.

Councilmember Chock: Thank you, Chair. I would just say, I think it is difficult when we look back in time, as Councilmember Evslin has said, to do something regarding a decision on an easement back in 2008. I have not read the transcripts on that, but I hear the concern that is being brought forward and I think the changes that Council Chair Kaneshiro is talking about in updating this is really about, at what point does that community input and voice get lost and that should not be lost. While it might not have been in their generation, now entitlements are
being acted on and new voices and new concerns are emerging, so that is a difficult road to travel, but I think that it behooves us as leaders to find a way for that to be heard. Thank you.

Council Chair Kaneshiro: We will take a roll call vote.

(Registered speakers requested to testify regarding this agenda item.)

The motion to receive Bill No. 1993, Draft 1 for the record was then put, and carried by the following vote:

FOR RECEIPT: Carvalho, Chock, Cowden, DeCosta, Evslin, Kuali‘i, Kaneshiro TOTAL – 7,
AGAINST RECEIPT: None TOTAL – 0,
EXCUSED & NOT VOTING: None TOTAL – 0,
RECUSED & NOT VOTING: None TOTAL – 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.

Bill No. 2816, Draft 1 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 15, ARTICLE 1, KAUA‘I COUNTY CODE 1987, AS AMENDED, RELATING TO FLOODPLAIN MANAGEMENT

Councilmember Carvalho moved to approve Bill No. 2816, Draft 1 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember Kuali‘i.

Council Chair Kaneshiro: Do we have any final questions from the Members? Is there any final discussion from the Members? Councilmember Cowden.

Councilmember Cowden: I am going to vote in favor of it, because I understand the needs to have this go through quickly are important and it is my strong hope and I wanted to keep it on the table that in this existing term of our Council, whether it is this year or next year, that we work to make sure that we address the problems that have gone unaddressed or unclarified in it that I feel have, so whether we all agree or not, well, that would remain to be seen, but I want to make sure that we actually improve in strength in this floodplain management, so that there are not typically older houses end up being flooded as an effect of being built.

Council Chair Kaneshiro: Is there any other discussion from the Members? Councilmember Evslin.

Councilmember Evslin: Thank you, Chair. I will just echo what Councilmember Cowden said. I am happy to vote to approve this Bill today. I also
recognize the need and the pressing time constraint here to ensure that we uphold our National Flood Insurance Program (NFIP), but also recognizing at least, the need to look further at our flood ordinance to ensure that we are appropriately straddling the line between ensuring that a kama'āina family can repair their home when needed and to ensure that people are not abusing a law to rebuild homes, sometimes entirely within dangerous floodways. Certainly looking forward to working with the Administration and just looking into it more.

Council Chair Kaneshiro: Anyone else? If not, we will take a roll call vote.

*(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)*

The motion to approve Bill No. 2816, Draft 1 on second and final reading, and that it be transmitted to the Mayor for his approval was then put, and carried by the following vote:

**FOR APPROVAL:** Carvalho, Chock, Cowden, DeCosta, Evslin, Kuali'i, Kaneshiro  TOTAL - 7,

**AGAINST APPROVAL:** None  TOTAL - 0,

**EXCUSED & NOT VOTING:** None  TOTAL - 0,

**RECUSED & NOT VOTING:** None  TOTAL - 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.

**EXECUTIVE SESSION:**

ES-1043  Pursuant to Hawaiʻi Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kaua‘i County Charter Section 3.07(E), the Office of the County Attorney requests an Executive Session with the Council to provide the Council with a briefing and request for settlement authority in the matter of Roy Gal vs. County of Kaua‘i, et al., Civil No. 20-00011 JMS-WRP (U.S. District Court for the District of Hawai‘i). This briefing and consultation involves the consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

Councilmember Cowden moved to convene in Executive Session for ES-1043, seconded by Councilmember Kuali‘i.

*(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)*

Council Chair Kaneshiro: Roll call vote to go into Executive Session.
The motion to convene into Executive Session for ES-1043 was then put, and carried the following vote:

FOR EXECUTIVE SESSION: Carvalho, Chock, Cowden, DeCosta, Evslin, Kuali‘i, Kaneshiro
TOTAL – 7,
AGAINST EXECUTIVE SESSION: None
TOTAL – 0,
EXCUSED & NOT VOTING: None
TOTAL – 0,
RECUSED & NOT VOTING: None
TOTAL – 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.

Council Chair Kaneshiro: Seeing no further business and hearing no objections, this Council Meeting is now adjourned.

ADJOURNMENT.

There being no further business, the Council Meeting adjourned at 12:23 p.m.

Respectfully submitted,

[Signature]

JADE K. FOUNTAIN-TANIGAWA
County Clerk

:jy